

STATE OF NORTH DAKOTA

JOURNAL OF THE SENATE

of the

TWENTY-FOURTH SESSION

of the

LEGISLATIVE ASSEMBLY

Held in the New State Capitol Building at
Bismarck, North Dakota, January 8 to
March 8, 1935, Inclusive

WALTER WELFORD,
Lieutenant-governor

A. S. MARSHALL,
President pro tempore
Presidents of the Senate

F. E. TUNELL,
Secretary of the Senate

BUY "DAKOTA MAID" FLOUR



OFFICERS AND EMPLOYEES

Title	Name	Home Address
Lieutenant-governor.....	Walter Welford.....	Pembina
President pro tempore.....	A. S. Marshall.....	Forbes
Secretary.....	F. E. Tunell.....	Norma
1st Ass't Secretary.....	H. R. Morgan.....	Walcott
2nd Ass't Secretary.....	W. J. Church.....	Bismarck
Desk Reporter.....	Marie A. Minnis.....	Fargo
Sergeant-at-Arms.....	Arend Hoffman.....	Rutland
Ass't Sergeant-at-Arms.....	Joe Volk, Jr.....	Linton
Bill Clerk.....	J. C. Goll.....	Danzig
Bill Room Clerk.....	I. J. Leer.....	Wellsburg
Stenographer.....	Margaret O. Sheehan.....	Bismarck
Stenographer.....	Betty Boyle.....	Fargo
Stenographer.....	Josephine Selvig.....	Plaza
Stenographer.....	Kathryn A. Pagenkopf.....	Dickinson
Stenographer.....	Bea Haugen.....	Davenport
Stenographer.....	Josephine Efteland.....	Valley City
Clerk.....	Clarice Thorson.....	Bucyrus
Committee Clerk.....	William Hagen.....	Watford City
Committee Clerk.....	A. L. Fatland.....	Colfax
Committee Clerk.....	Emil Strand.....	Fryburg
Committee Clerk.....	Nels Johnson.....	Grand Forks
Committee Clerk.....	William Kane.....	Minot
Committee Clerk.....	Philip Heiling.....	Valley City
Chief Mailing Clerk.....	J. M. Anderson.....	Oberon
Ass't Mailing Clerk.....	S. I. Coffell.....	Ellendale
Ass't Mailing Clerk.....	C. H. Ebel.....	Lidgerwood
Enrolling and Engrossing Clerk.....	Hope Snyder.....	Bismarck
Ass't Enrolling and En- grossing Clerk.....	Edna Walsh.....	Bismarck
Proof Reader.....	R. T. Wood.....	Tuttle
Ass't Proof Reader.....	H. W. Anderberg.....	Jamestown
Postmaster.....	P. A. Peterson.....	Pekin
Governor's Messenger.....	W. H. Rickbeil.....	Cavalier
Telephone Messenger.....	Jake Forester.....	Dickinson
Special Messenger.....	Chester Hamilton.....	Eckman
Messenger.....	Henry Jacobson.....	Cando
Page.....	Roswell Kamrath.....	Leith
Page.....	George De Foe.....	Pembina
Page.....	L. Nappen.....	Lankin
Custodian.....	C. A. Patterson.....	Devils Lake
Ass't Custodian.....	Ole O. Sundby.....	Ruso
Ass't Custodian.....	Arnold Glimm.....	Zahl
Doorkeeper.....	T. O. Thompson.....	Leonard
Doorkeeper.....	Chas. Severyn.....	Rugby
Doorkeeper.....	Max Netzbandt.....	Bismarck
Doorkeeper.....	Henry Zimmerman.....	Lansford
Cloak Room Attendant.....	H. H. McCumber.....	Pettibone
Chaplains.....	Clergymen.....	Bismarck

SENATE MEMBERS

Dist.	County	Name	Address
1.	Pembina	Thomas Whelan	St. Thomas
2.	Part Ward	Wm. J. Lowe	Kenmare
3.	Part Walsh	Arthur Trovatten	Park River
4.	Part Walsh	George V. Coffey	Minto
5.	Part Grand Forks	J. E. Eastgate	Larimore
6.	Part Grand Forks	N. N. Nelson	Emerado
7.	Part Grand Forks	Oswald Braaten	Thompson
8.	Traill	Syver Vinje	Hillsboro
9.	Part Cass	Arthur W. Fowler	Fargo
10.	Part Cass	Max H. Strehlow	Kindred
11.	Part Cass	Wm. Watt	Leonard
12.	Part Richland	Melvin P. Johnson	Wahpeton
13.	Sargent	W. S. Handley	Stirum
14.	Ransom	John Crandall	Lisbon
15.	Part Barnes	John L. Miklethun	Valley City
16.	Griggs-Steele	George Kolpin	Cooperstown
17.	Nelson	L. O. Fredrickson	Pekin
18.	Cavalier	Ed. Greene	Mona
19.	Rolette	Albert Dubay	Fonda
20.	Benson	C. W. Fine	Sheyenne
21.	Ramsey	G. F. Drew	Devils Lake
22.	Towner	B. W. Lemke	Cando
23.	Stutsman	E. E. Greene	Jamestown
24.	LaMoure	Milton R. Young	Berlin
25.	Dickey	A. S. Marshall	Forbes
26.	Emmons	Harry C. Lynn	Linton
27.	Burleigh	S. S. McDonald	Bismarck
28.	Bottineau	Wm. A. Thatcher	Bottineau
29.	Part Ward	G. A. Jones	Minot
30.	Morton	James T. McGillic	Mandan
31.	Stark	J. P. Cain	Dickinson
32.	Eddy-Foster	Otto Topp	Grace City
33.	Wells	W. E. Matthaei	Fessenden
34.	McHenry	Ole Ettestad	Balfour
35.	Kidder-Sheridan	O. E. Erickson	Tapten
36.	McIntosh-Logan	William Kroeber	Napoleon
37.	Part Richland	A. F. Bonzer, Jr.	Lidgerwood
38.	Part Barnes	A. C. Nelson	Fingal
39.	Billings, Bowman, Golden Valley and Slope	Gust Wog	Belfield
40.	Burke-Divide	R. A. Owings	Lignite
41.	McKenzie	John K. Brostuen	Alexander
42.	Pierce	F. T. Gronvold	Rugby
43.	Renville	Walter J. Trout	Sherwood
44.	Mountrail	Harry Peterson	Plaza
45.	Williams	Alex Lind	Williston
46.	McLean	E. C. Stucke	Garrison
47.	Grant-Sioux	Wm. Kamrath	Leith
48.	Mercer, Oliver and Dunn	E. F. Mutchler	Center
49.	Adams-Hettinger	Herman Thorson	Bucyrus

HOUSE MEMBERS

Dist.	County	Name	Address
1.	Pembina	Alex Dalzell	Walhalla
		Franklin Page	Hamilton
		Earl D. Symington	Neche
2.	Pt. Ward	Chas. H. Black	Foxholm
3.	Pt. Walsh	Palmer Levin	Park River
		Harry O'Brien	Park River
4.	Part Walsh	H. H. Hewitt	Minto
5.	Pt. Grand Forks	Oliver Bilden	Northwood
6.	Pt. Grand Forks	Geo. H. Saumur	Grand Forks
7.	Pt. Grand Forks	D. C. Cunningham	Reynolds
8.	Traill	Karl H. Brunsdale	Portland
		J. A. Dahl	Hatton
		L. C. Odegard	Buxton
		Ed. P. Cosgriff	Fargo
9.	Pt. Cass	Roy R. Hall	Fargo
		J. P. Johnson	Fargo
		Leland J. Smith	Fargo
		L. L. Twichell	Fargo
		M. H. Holte	Gardner
10.	Pt. Cass	Fred J. Peterson	Prosper
		Carl H. Dittmer	Leonard
11.	Pt. Cass	A. J. Kapaun	Alice
		J. D. Holthusen	Tyler
12.	Pt. Richland	C. E. Moore	Wahpeton
		O. C. Anderson	Rutland
		A. N. Lavik	Milnor
13.	Sargent	Harris Halverson	Lisbon
		Martin Larson	Nome
14.	Pt. Barnes	Sam Oglesby	Wimbledon
15.	Griggs-Steele	Albert Bjerke	Finley
		J. E. Langford	Cooperstown
		Edw. Savre	Cooperstown
16.	Nelson	Albert Fjeld	Kloten
		Ejnar Lohrbauer	Lakota
17.	Cavalier	Harvey Brusseau	Walhalla
		William Crockett	Wales
		Ed. A. Hill	Wales
18.	Rolette	Carl Anfinson	Mylo
		Jacob Urschel	St. John
19.	Benson	J. C. Hanson	Oberon
		John F. Randall	Knox
20.	Ramsey	R. J. Downey	Devils Lake
		Frank Gessner	Penn
		Edwin Traynor	Starkweather
21.	Towner	A. J. McLarty	Starkweather
		L. O. Norheim	Rock Lake

Dist.	County	Name	Address
24.	LaMoure	Earle E. Clarke	Nortonville
		Zack Shockman	Berlin
25.	Dickey	Joe Fitzgerald	Merricourt
		G. Wendland	Kulm
26.	Emmons	Val P. Wolf	Hague
		Math Dahl	Hazelton
27.	Burleigh	Thos. J. Burke	Bismarck
		William M. Schantz	Bismarck
		J. M. Thompson	Wilton
28.	Bottineau	Howard Parkinson	Willow City
		Peter Peterson	Antler
		Fred J. Shurr	Lansford
29.	Pt. Ward	Joe C. Blaisdell, Jr.	Minot
		Ole G. Frosaker	Minot
		M. D. Graham	Burlington
		Einar Muus	Minot
30.	Morton	W. J. Godwin	Mandan
		Carl Keidel	Mandan
		Gus A. Schauss	Mandan
31.	Stark	Fred Born	Richardton
		Anton Kubischta	South Heart
		Ray Schnell	Dickinson
32.	Eddy-Foster	Dave L. Bailey	Brantford
		W. W. Treffry	New Rockford
33.	Wells	Geo. Aljets	Sykeston
		Leonas Myers	Bowdon
34.	McHenry	W. O. Biberdorf	Gardena
		L. E. Goodlaxon	Drake
		H. F. Niewoehner	Upham
35.	Kidder-Sheridan	John J. Adam	Anamoose
		Chas. Mode	Steele
36.	McIntosh-Logan	William Bauer	Lehr
		Wm. H. Bettenhausen	Wishek
		Christ P. Ritter	Burnstad
37.	Pt. Richland	C. H. Morgan	Walcott
		H. C. Williams	Lidgerwood
38.	Part Barnes	James G. Thoreson	Fingal
39.	Billings, Bowman, Golden Valley and Slope	A. C. Anderson	Gascoyne
		Nels P. Noben	Beach
		W. S. Place	Bowman
		O. F. Anderson	Ambrose
40.	Burke-Divide	E. J. Marks	Flaxton
		E. J. McIlraith	Crosby
		F. W. Erickson	Charbonneau
41.	McKenzie	M. L. Holey	Arnegard
		Paul A. Sand	Balta
42.	Pierce	Wm. H. Tuff	Barton
		F. D. Hurd	Tolley
43.	Renville	Axel Olson	Parshall
44.	Mountrail	Ole B. Stray	Stanley
		L. R. Burgum	Jamestown
23.	Stutsman	Edw. J. Dullea	Pingree
		Ben Gilbertson	Jamestown
		H. J. Morris	Jamestown

Dist.	County	Name	Address
45.	Williams	Christ Borstad	Tioga
		Ben Fedje	Bonetrail
		Harvey Solberg	Zahl
46.	McLean	Arlo Beggs	Turtle Lake
		J. A. Erickson	Blackwater
		R. R. Scholl	Washburn
47.	Grant-Sioux	James Caddell	Selfridge
		Fred Seibel	Elgin
48.	Mercer, Oliver and Dunn	J. W. Bailey	Emerson
		Gottlieb Isaak	Dodge
		Nels P. Jensen	Hazen
49.	Adams-Hettinger	E. A. Child	Regent
		O. C. Olson	Hettinger

ERRATA

Page 312, line 16, change the name "Thorson" to "Brostuen."

Page 364, correct line 36 to read as follows:

Senate Concurrent Resolution "R."

Page 498, line 9, insert the words "of Cavalier" following the name "Greene."

Page 590, line 25, strike out the word "Concurrent."

Page 539, line 12, insert the words "of Stutsman" after the name "Greene."

Page 918, change "House Bill No. 289" to read "Senate Bill No. 289."

February 25, 1935 Senate Bill Nos. 97, 112, 125, 126 and 135, were delivered to the Governor.

Top of page 1267, strike out "House Bill No. 138" and the title and insert "Senate Bill No. 138" and the title.

Page 1440, line 8 from bottom of page, strike out the word "Concurrent."

Page 1454, line 16, strike out the word "Senate" and insert in lieu thereof the word "House."

Page 1454, line 19, strike out the word "Senate" and insert in lieu thereof the word "House."

Page 1454, line 22, strike out the word "Senate" and insert in lieu thereof the word "House."

Page 1484, line 14, strike out the word "House" and insert in lieu thereof the word "Senate."

Page 1488, line 11, strike out the word "House" and insert in lieu thereof the word "Senate."

Page 1524, strike out "Senate Bill No. 122" and the title and insert "House Bill No. 122" and the title.

Page 1588, line 14 from bottom of page, strike out the figures "21" and insert in lieu thereof the figures "20."

Page 1590, line 30, following the word "adopted," insert a period and strike out the remainder of the line and all of line 31.

Page 1609, show "Nelson of Barnes" as absent and not voting.

Page 1685, show "Nelson of Barnes" as voting "nay."

Journal of the Senate



Twenty-fourth Legislative Assembly

FIRST DAY

Senate Chamber,
Bismarck, North Dakota,
January 8, 1935.

At the hour of twelve o'clock on the eighth day of January, 1935, it being the day and hour designated by the Constitution for convening the Legislative Assembly of the State of North Dakota, the hold-over members and members elected to the Senate of the Twenty-fourth Legislative Assembly assembled in the North Dakota State Capitol Building at Bismarck, North Dakota, and were called to order by Senator Hamilton, President pro tem of the Twenty-third Legislative Assembly of the State of North Dakota.

Senator Whelan moved that the presiding officer appoint a committee of three to escort the Lieutenant-governor to the rostrum to be sworn in as President of the Senate, which motion prevailed.

The President pro tem appointed as said committee Senators Whelan, Greene of Stutsman and Watt.

Senator Matthaei moved that the presiding officer appoint a committee of three to escort the Honorable John Burke, Chief Justice of the Supreme Court of the State of North Dakota, to the rostrum for the purpose of administering the oath of office to the Lieutenant-governor and to the newly elected members of the Senate of the State of North Dakota.

The President pro tem appointed Senators Matthaei Cain and Lind as such committee.

Chief Justice Burke administered the oath of office to Lieutenant-governor Welford.

Prayer by Chaplain Rev. Ellsworth.

The following communication was received from the Secretary of State:

DEPARTMENT OF STATE

Bismarck, North Dakota,
January 8, 1935.

Secretary of the Senate,
Twenty-fourth 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 Twenty-fourth Legislative Assembly of the State of North Dakota:

Dist.	County	Name	Address
1.	Pembina	Thomas Whelan	St. Thomas
2.	Pt. Ward	Wm. J. Lowe	Kenmare
3.	Pt. Walsh	Arthur Trovatten	Park River
4.	Pt. Walsh	George V. Coffey	Minto
5.	Pt. Grand Forks	J. E. Eastgate	Larimore
6.	Pt. Grand Forks	N. N. Nelson	Emerado
7.	Pt. Grand Forks	Oswald Braaten	Thompson
8.	Traill	Syver Vinje	Hillsboro
9.	Pt. Cass	Arthur W. Fowler	Fargo
10.	Pt. Cass	Max H. Strehlow	Kindred
11.	Pt. Cass	Wm. Watt	Leonard
12.	Pt. Richland	Melvin P. Johnson	Wahpeton
13.	Sargent	W. S. Handley	Stirum
14.	Ransom	John Crandall	Lisbon
15.	Pt. Barnes	John L. Miklethun	Valley City
16.	Griggs-Steele	George Kolpin	Cooperstown
17.	Nelson	L. O. Fredrickson	Pekin
18.	Cavalier	Ed. Greene	Mona
19.	Rolette	Albert Dubay	Fonda
20.	Benson	C. W. Fine	Sheyenne
21.	Ramsey	G. F. Drew	Devils Lake
22.	Towner	B. W. Lemke	Cando
23.	Stutsman	E. E. Greene	Jamestown
24.	LaMoure	Milton R. Young	Berlin
25.	Dickey	A. S. Marshall	Forbes
26.	Emmons	Harry C. Lynn	Linton
27.	Burleigh	S. S. McDonald	Bismarck
28.	Bottineau	Wm. A. Thatcher	Bottineau
29.	Pt. Ward	G. A. Jones	Minot
30.	Morton	James T. McGillic	Mandan
31.	Stark	J. P. Cain	Dickinson
32.	Eddy-Foster	Otto Topp	Grace City
33.	Wells	W. E. Matthaei	Fessenden
34.	McHenry	Ole Ettestad	Balfour
35.	Kidder-Sheridan	O. E. Erickson	Tappen
36.	McIntosh-Logan	William Kroeber	Napoleon
37.	Pt. Richland	A. F. Bonzer, Jr.	Lidgerwood
38.	Pt. Barnes	A. C. Nelson	Fingal
39.	Billings, Bowman, Golden Valley and Slope	Gust Wog	Belfield

Dist.	County	Name	Address
40.	Burke-Divide	R. A. Owings	Lignite
41.	McKenzie	John K. Brostuen	Alexander
42.	Pierce	F. T. Gronvold	Rugby
43.	Renville	Walter J. Trout	Sherwood
44.	Mountrail	Harry Peterson	Plaza
45.	Williams	Alex Lind	Williston
46.	McLean	E. C. Stucke	Garrison
47.	Grant-Sioux	Wm. Kamrath	Leith
48.	Mercer, Oliver and Dunn	E. F. Mutchler	Center
49.	Adams-Hettinger	Herman Thorson	Bucyrus

In Witness Whereof, I have hereunto set my hand and affixed the Great Seal of the State of North Dakota this 8th day of January, A. D. 1935.

JAMES D. GRONNA,
Secretary of State.

(SEAL)

LIST OF HOLD-OVER SENATORS

Dist.	County	Name	Address
1.	Pembina	Thomas Whelan	St. Thomas
3.	Part Walsh	Arthur Trovatten	Park River
5.	Part Grand Forks	J. E. Eastgate	Larimore
9.	Part Cass	Arthur W. Fowler	Fargo
11.	Part Cass	Wm. Watt	Leonard
13.	Sargent	W. S. Handley	Stirum
15.	Part Barnes	John L. Micklethun	Valley City
17.	Nelson	L. O. Fredrickson	Pekin
19.	Rolette	Albert Dubay	Fonda
21.	Ramsey	G. F. Drew	Devils Lake
23.	Stutsman	E. E. Greene	Jamestown
25.	Dickey	A. S. Marshall	Forbes
27.	Burleigh	S. S. McDonald	Bismarck
29.	Part Ward	G. A. Jones	Minot
31.	Stark	J. P. Cain	Dickinson
33.	Wells	W. E. Matthaei	Fessenden
35.	Kidder-Sheridan	O. E. Erickson	Tappen
37.	Part Richland	A. F. Bonzer, Jr.	Lidgerwood
39.	Billings, Bowman, Golden Valley and Slope	Gust Wog	Belfield
41.	McKenzie	John K. Brostuen	Alexander
43.	Renville	Walter J. Trout	Sherwood
45.	Williams	Alex Lind	Williston
47.	Grant-Sioux	Wm. Kamrath	Leith
49.	Adams-Hettinger	Herman Thorson	Bucyrus

LIST OF SENATORS-ELECT:

Dist.	County	Name	Address
2.	Part Ward	Wm. J. Lowe	Kenmare
4.	Part Walsh	George V. Coffey	Minto
6.	Part Grand Forks	N. N. Nelson	Emerado
7.	Part Grand Forks	Oswald Braaten	Thompson

(Unexpired term of Senator Dana
J. Tinnes, deceased)

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8.	Traill	Syver Vinje	Hillsboro
10.	Part Cass	Max H. Strehlow	Kindred
12.	Part Richland	Melvin P. Johnson	Wahpeton
14.	Ransom	John Crandall	Lisbon
16.	Griggs-Steele	George Kolpin	Cooperstown
18.	Cavalier	Ed. Greene	Mona
20.	Benson	C. W. Fine	Sheyenne
22.	Towner	B. W. Lemke	Cando
24.	LaMoure	Milton R. Young	Berlin
26.	Emmons	Harry C. Lynn	Linton
28.	Bottineau	Wm. A. Thatcher	Bottineau
30.	Morton	James T. McGillic	Mandan
32.	Eddy-Foster	Otto Topp	Grace City
34.	McHenry	Ole Ettestad	Balfour
36.	McIntosh-Logan	William Kroeber	Napoleon
38.	Part Barnes	A. C. Nelson	Fingal
40.	Burke-Divide	R. A. Owings	Lignite
42.	Pierce	F. T. Gronvold	Rugby
44.	Mountrail	Harry Peterson	Plaza
46.	McLean	E. C. Stucke	Garrison
48.	Mercer, Oliver and Dunn	E. F. Mutchler	Center

Chief Justice Burke administered the oath of office to all Senators-elect, except Mutchler and Thatcher, and requested them to subscribe to the oath of office.

ROLL CALL

The roll was called and there were 47 present and 2 absent.

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thorson
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Erickson	Lowe	Trovatten
Ettestad	Lynn	Vinje
Fine	Marshall	Watt
Fowler	Matthaei	Whelan
Fredrickson	McDonald	Wog
Greene, Cavalier	McGillic	Young
Greene, Stutsman	Miklethun	

Absent:

Messrs.	Messrs.
Mutchler	Thatcher

Senator Wog moved the nomination of F. E. Tunell of Renville County for Secretary of the Senate, which motion prevailed.

Senator Mutchler entered the Chamber and was sworn in by the Lieutenant-governor.

ROLL CALL

The question being on the election of F. E. Tunell as Secretary of the Senate, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman	Mutchler	
Gronvold		

Absent and not voting:

Messrs.
Thatcher

So, F. E. Tunell was duly elected Secretary of the Senate. Lieutenant-governor Welford administered the oath of office.

Senator McDonald moved that Marie A. Minnis of Cass County be nominated as Desk Reporter, which motion prevailed.

ROLL CALL

The question being on the election of Marie A. Minnis as Desk Reporter, 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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan

Messrs.	Messrs.	Messrs.
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young

Absent and not voting:

Messrs.
Thatcher

So Marie A. Minnis was duly elected Desk Reporter. Lieutenant-governor Welford administered the oath of office.

Senator Handley moved that Arend Hoffman of Sargent County be placed in nomination as Sergeant-at-Arms of the Senate. Which motion prevailed.

ROLL CALL

The question being on the election of Arend Hoffman as Sergeant-at-Arms of the Senate, 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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young

Absent and not voting:

Messrs.
Thatcher

So Arend Hoffman was duly elected Sergeant-at-Arms. Lieutenant-Governor Welford administered the oath of office.

Senator Kamrath moved that a vote of thanks be extended to Sidney A. Papke for his services as Secretary of the Senate of the Twenty-third Legislative Assembly.

Which motion prevailed.

Senator Lind moved that the President of the Senate appoint a committee of three to notify the Governor of the State of North Dakota that the Senate is organized and ready to receive any messages he desires to deliver to it.

Which motion prevailed.

The President appointed Senators Fredrickson, Thorson and Lind to act on such committee.

Senator Fredrickson moved that the President of the Senate appoint a committee of three to notify the House of Representatives that the Senate is organized and ready for the transaction of business.

Which motion prevailed.

The President appointed as members of such committee Senators Thorson, McDonald and Owings.

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

Which motion prevailed.

The President appointed as such committee Senators Johnson, Kroeber and Trout.

Senator Erickson moved that a committee of three be appointed by the President of the Senate to make necessary arrangements for Senate committee rooms.

Which motion prevailed.

The President appointed Senators Erickson, Peterson and Ettestad to serve on such committee.

Senator Thorson moved that a committee of three be appointed by the President of the Senate to confer with the Board of Administration relative to making arrangements for necessary stationery and supplies for the members of the Senate.

Which motion prevailed.

The President appointed as members of this Committee Senators Handley, Brostuen and Greene of Cavalier.

Senator Fine moved that the rules of the Twenty-third Legislative Assembly be adopted as temporary rules for the Twenty-fourth Session.

Which motion prevailed.

Senator Bonzer moved that a committee of four be appointed to act with the President of the Senate as a committee on committees.

Which motion prevailed.

The President appointed Senators Matthaei, Fowler, Bonzer and Trovatten on such committee.

Senator Bonzer moved that the President of the Senate appoint a committee of five to serve as a committee on employment.

Which motion prevailed.

The President appointed Senators Peterson, Whelan, Watt, Wog and Drew to act on such committee.

Senator Stucke: I think it is fitting at this time, as has always been the custom, for the President of the Senate to say a few words.

Lieutenant Governor: Gentlemen of the Senate: I certainly feel that I should express my sincere appreciation to the people of the State of North Dakota for giving me the privilege of presiding over this first assembly of the Senate in this beautiful new building of ours. And, while we are surrounded with everything, seemingly, that money and science can do to make this building beautiful, I hope we will not forget that in parts of our state today a great many of our people are suffering for the bare necessities of life. I hope that this environment of beauty will not take our minds from that fact and that we will resolve to dedicate ourselves in this session to doing something that will remove the distress that prevails in the State. We will try to do our best to make this a better state in which to live. I am sure there is enough here to inspire us in this building to give our best of service to the State at this time and as far as the duties of the office to which I have been elected, I will certainly do my part to make this Session one of real results and benefit to the people of the State. I thank you.

The President called upon D. H. Hamilton, President Pro Tem of the Twenty-third Legislative Assembly, who responded with fitting remarks.

Senator Braaten moved that a committee of three be appointed to prepare suitable resolutions relative to the death of the two members of this Senate. Namely: The late Senators Tinnis and Whitman of Grand Forks.

Which motion prevailed.

And the President appointed Senators Braaten, Fredrickson and Marshall to prepare such resolutions.

Senator Bonzer moved for a ten minute recess for the purpose of selecting seats.

Which motion prevailed.

The Senate was called to order by the President.

Senator Matthaei explained that all Senators had not selected their seats with regard to seniority and moved that all personal effects be moved off the desks and the newly elected Senators adjourn to the outside of the railing, giving the hold-over Senators the privilege of making their selection.

Which motion prevailed.

Senator Lind reported that the committee to notify the Governor that the Senate was organized and ready to receive messages, had been delivered and requested that the committee be discharged, which request was granted.

Senator Thatcher entered the Chamber and was sworn in by the Lieutenant-governor.

Senator Thorson reported that the committee appointed to notify the House of Representatives that the Senate was organized and ready to receive communications, had performed its duty and requested that the committee be discharged, which request was granted.

Senator Stucke moved that Senator Hamilton, President pro tem, of the Twenty-third Legislative Assembly, be allowed per diem for his services for one day.

ROLL CALL

The question being on the motion to allow one day per diem to Mr. D. H. Hamilton, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Fine	Marshall	Trovatten
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Ettestad

Senator Watt moved that the Senate recess until 1:00 P. M. tomorrow.

Which motion prevailed.

The Senate stood recessed.

F. E. TUNELL,
Secretary.

FIRST DAY AFTER RECESS AND SECOND DAY

Senate Chamber,
Bismarck, North Dakota,
January 9, 1935.

The Senate convened at 1:00 P. M., pursuant to recess, the President presiding.

Senator Peterson requested that the Senate be on the Sixth order of business.

President: If there are no objections, it will be so ordered.

Senator Peterson moved the nomination of H. R. Morgan, of Richland County, as First Assistant Secretary.

ROLL CALL

The question being on the election of H. R. Morgan as First Assistant Secretary, 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.
Bonzer	Gronvold	Nelson, Grand Fks.
Braaten	Handley	Owings
Brostuen	Jones	Peterson
Cain	Kolpin	Strehlow
Coffey	Lemke	Stucke
Crandall	Lind	Thatcher
Drew	Lowe	Thorson
Dubay	Lynn	Topp
Eastgate	Marshall	Trovatten
Erickson	Matthaei	Vinje
Ettestad	McDonald	Watt
Fine	McGillie	Whelan
Fowler	Miklethun	Wog
Greene, Cavalier	Mutchler	Young
Greene, Stutsman	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fredrickson	Kamrath	Trout
Johnson	Kroeber	

Senator Peterson moved the nomination of the following employees:

Postmaster of the Senate: P. A. Peterson, Pekin, N. D.

Senate Stenographers: Margaret Sheehan, Bismarck, N. D., and Betty Boyle, Fargo, N. D.

ROLL CALL

The question being on the election of P. A. Peterson, Pekin, N. Dak., as Senate Postmaster, 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.
Bonzer	Gronvold	Nelson, Grand Fks.
Braaten	Handley	Owings
Brostuen	Jones	Peterson
Cain	Kolpin	Strehlow
Coffey	Lemke	Stucke
Crandall	Lind	Thatcher
Drew	Lowe	Thorson
Dubay	Lynn	Topp
Eastgate	Marshall	Trovatten
Erickson	Matthaei	Vinje
Ettestad	McDonald	Watt
Fine	McGillic	Whelan
Fowler	Miklethun	Wog
Greene, Cavalier	Mutchler	Young
Greene, Stutsman	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fredrickson	Kamrath	Trout
Johnson	Kroeber	

So P. A. Peterson was duly elected as Postmaster of the Senate.

ROLL CALL

The question being on the election of Margaret Sheehan, as Senate Stenographer, 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.
Bonzer	Gronvold	Nelson, Grand Fks.
Braaten	Handley	Owings
Brostuen	Jones	Peterson
Cain	Kolpin	Strehlow
Coffey	Lemke	Stucke
Crandall	Lind	Thatcher
Drew	Lowe	Thorson
Dubay	Lynn	Topp
Eastgate	Marshall	Trovatten

Messrs.	Messrs.	Messrs.
Erickson	Matthaei	Vinje
Ettestad	McDonald	Watt
Fine	McGillic	Whelan
Fowler	Miklethun	Wog
Greene, Cavalier	Mutchler	Young
Greene, Stutsman	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fredrickson	Kamrath	Trout
Johnson	Kroeber	

So Margaret Sheehan was duly elected Senate Stenographer.

ROLL CALL

The question being on the election of Betty Boyle, Fargo, N. Dak., as Senate Stenographer, 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.
Bonzer	Gronvold	Nelson, Grand Fks.
Braaten	Handley	Owings
Brostuen	Jones	Peterson
Cain	Kolpin	Strehlow
Coffey	Lemke	Stucke
Crandall	Lind	Thatcher
Drew	Lowe	Thorson
Dubay	Lynn	Topp
Eastgate	Marshall	Trovatten
Erickson	Matthaei	Vinje
Ettestad	McDonald	Watt
Fine	McGillic	Whelan
Fowler	Miklethun	Wog
Greene, Cavalier	Mutchler	Young
Greene, Stutsman	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fredrickson	Kamrath	Trout
Johnson	Kroeber	

So Betty Boyle was duly elected as Senate Stenographer.

So such employees were duly elected.

The President administered the oath of office to the new Senate employees.

Senator Fine moved that Senator Marshall from Dickey County be nominated as President pro tem of the Senate.

ROLL CALL

The question being on the election of Senator A. S. Mar-

shall as President pro tem of the Senate, the roll was called and there were ayes, 45; nays, 0; absent and not voting, 3; passed, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trovatten
Ettestad	Matthaei	Vinje
Fine	McDonald	Watt
Fowler	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fredrickson	Kroeber	TROUT

Passed:

Messrs.
Marshall

So Senator A. S. Marshall was duly elected President pro tem of the Senate.

When Senator Marshall's name was called on the roll call, he announced that he wished to pass his vote.

The President declared Senator Marshall duly elected President pro tem of the Senate.

Senator Bonzer moved that the President appoint a committee of three to escort the President pro tem to the rostrum to be sworn in as President pro tem of the Senate.

The President appointed Senators Fine, Owings and Watt on such committee.

The President administered the oath of office to A. S. Marshall, President pro tem of the Senate.

Senator Watt moved that the Senate do now adjourn.

Which motion prevailed.

SECOND DAY

Senate Chamber,
Bismarck, North Dakota,
January 9, 1935.

The Senate convened pursuant to adjournment, the President presiding.

Prayer by Chaplain Rev. Nelson E. Ellsworth.

ROLL CALL

All Senators were present except Fredrickson, Mutchler, Thatcher, and Trout.

The President announced that a quorum was 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 and recommend that the same be corrected as follows:

Page 4, line 24, after "Senators-elect" insert "except Mutchler and Thatcher."

Page 4, line 27, strike out "49" and "none" and insert "47" and "2", respectively.

In roll call on page 4, strike out names Mutchler and Thatcher.

After roll call, page 4, insert: Absent: Messrs: Thatcher, Mutchler.

Page 4, after line 49, insert the following paragraph:

Senator Mutchler entered the chamber and was sworn in by the Lieutenant-governor.

Page 8, bottom of page, insert the following paragraph:

Senator Thatcher entered the chamber and was sworn in by the Lieutenant-governor.

And when so corrected recommend that the same be approved.

MELVIN P. JOHNSON,
Chairman.

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

Senator Marshall moved that all absent Senators be excused.

Which motion prevailed.

PETITIONS AND COMMUNICATIONS

Senator Gronvold presented a "Resolution for Restoration of All Motor Vehicle License Fees for Road Purposes," signed by Herman Romine, chairman, and other members of the Board of County Commissioners, Pierce County, which was read from the desk.

Senator Gronvold moved that the communication be referred to the Committee on State Affairs and the title be printed in the Journal.

Which motion prevailed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to: Speed Wallace, of Minot, N. D., and R. E. Walker, of Bismarck, N. D.

Senator Brostuen moved that the Senate do now recess until 1:00 P. M., tomorrow.

Which motion prevailed.

The Senate stood recessed.

F. E. TUNELL,
Secretary.

SECOND DAY AFTER RECESS AND THIRD DAY

Senate Chamber,
Bismarck, North Dakota,
January 10, 1935.

The Senate convened at 1:00 P. M., pursuant to recess, the President presiding.

The President announced that the Senate was on the Sixth Order of Business.

Senator Peterson moved for the nomination of the following employees:

Committee Clerk—William Hagen, Watford City.

Committee Clerk—A. L. Fatland, Colfax.

Committee Clerk—Emil Strand, Fryburg.

Committee Clerk—Nels Johnson, Grand Forks.

Committee Clerk—Wm. Kane, Minot.

Stenographer—Josephine Selvig, Plaza.

Chief Mailing Clerk—J. M. Anderson, Oberon.

Assistant Mailing Clerk—S. I. Coffell, Ellendale.

Second Assistant Mailing Clerk—C. H. Ebel, Lidgerwood.

Clerk—Clarice Thorson, Bucyrus.

Page—Roswell Kamrath, Leith.

Page—Geo. DeFoe, Pembina.

Page—L. Nappen, Lankin.

Senate Chamber Custodian—C. A. Patterson, Devils Lake.

Assistant Senate Chamber Custodian—Ole O. Sundby, Ruso.

Assistant Senate Chamber Custodian—Arnold Glimm, Zahl.

Doorkeeper—T. O. Thompson, Leonard.

Doorkeeper—Chas. Severin, Rugby.
 Doorkeeper—Max Netzbandt, Bismarck.
 Doorkeeper—Jake Forester, Dickinson.
 Special Messenger—Chester Hamilton, Eckman.
 Telephone Messenger—Henry Jacobson, Cando.
 Assistant Sergeant-at-Arms—Joe Volk, Jr., Linton.
 Governor's Messenger—W. H. Rickbeil, Cavalier.
 Assistant Proof Reader—H. W. Anderberg, Jamestown.
 Which motion prevailed.

ROLL CALL

The question being on Election of William Hagen, Watford City, as Committee Clerk, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
 Fredrickson

So William Hagen was duly elected as Committee Clerk.

ROLL CALL

The question being on the Election of A. L. Fatland, Colfax, N. D., as Committee Clerk, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.

Messrs.	Messrs.	Messrs.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So A. L. Fatland was duly elected as Committee Clerk.

ROLL CALL

The question being on the election of Emil Strand of Fryburg, N. D., as Committee Clerk, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So Emil Strand was duly elected as Committee Clerk.

ROLL CALL

The question being on the election of Nels Johnson, Grand Forks, as Committee Clerk, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.

Fredrickson

So Nels Johnson was duly elected as Committee Clerk.

ROLL CALL

The question being on the election of Wm. Kane, Minot, N. D., as Committee Clerk, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.

Fredrickson

So William Kane was duly elected as Committee Clerk.

ROLL CALL

The question being on the election of Josephine Selvig, Plaza, N. Dak., as Stenographer, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So Josephine Selvig was duly elected as Stenographer.

ROLL CALL

The question being on the election of J. M. Anderson of Oberon, N. Dak., as Chief Mailing Clerk, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So J. M. Anderson was duly elected as Chief Mailing Clerk.

ROLL CALL

The question being on the election of S. I. Coffell, of Ellendale, N. Dak., as Assistant Mailing Clerk, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So S. I. Coffell was duly elected Assistant Mailing Clerk.

ROLL CALL

The question being on the election of C. H. Ebel, Lidgerwood, N. D., as Second Assistant Mailing Clerk, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt

Messrs.	Messrs.	Messrs.
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So C. H. Ebel was duly elected as Second Assistant Mailing Clerk.

ROLL CALL

The question being on the election of Clarice Thorson, of Bucyrus, N. Dak., as Clerk, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So Clarice Thorson was duly elected Clerk.

ROLL CALL

The question being on the election of Roswell Kamrath, Leith, N. D., as Page, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher

Messrs.	Messrs.	Messrs.
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So Roswell Kamrath was duly elected as Page.

ROLL CALL

The question being on the election of George DeFoe, Pembina, N. D., as Page, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So George DeFoe was duly elected as Page.

ROLL CALL

The question being on the election of L. Nappen, of Lan-kin, N. D., as Page, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.

Messrs.	Messrs.	Messrs.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So L. Nappen was duly elected as Page.

ROLL CALL

The question being on the election of C. A. Patterson, of Devils Lake, N. D., as Senate Chamber Custodian, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So C. A. Patterson was duly elected as Senate Chamber Custodian.

ROLL CALL

The question being on the election of Ole O. Sundby, Ruso, N. Dak., as Assistant Senate Chamber Custodian, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So Ole O. Sundby was duly elected Assistant Senate Chamber Custodian.

ROLL CALL

The question being on the election of Arnold Glimm, Zahl, N. D., as Assistant Senate Chamber Custodian, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So Arnold Glimm was duly elected as Assistant Senate Chamber Custodian.

ROLL CALL

The question being on the election of T. O. Thompson, of Leonard, N. Dak., as Doorkeeper, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So T. O. Thompson was duly elected as Doorkeeper.

ROLL CALL

The question being on the election of Chas. Severin, Rugby, N. D., as Doorkeeper, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.

Fredrickson

So Chas. Severin was duly elected as Doorkeeper.

ROLL CALL

The question being on the election of Max Netzbandt, Bismarck, N. D., as Doorkeeper, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.

Bonzer

Braaten

Brostuen

Cain

Coffey

Crandall

Drew

Dubay

Eastgate

Erickson

Ettestad

Fine

Fowler

Greene, Cavalier

Greene, Stutsman

Gronvold

Messrs.

Handley

Johnson

Jones

Kamrath

Kolpin

Kroeber

Lemke

Lind

Lowe

Lynn

Marshall

Matthaei

McDonald

McGillic

Miklethun

Mutchler

Messrs.

Nelson, Barnes

Nelson, Grand Fks.

Owings

Peterson

Strehlow

Stucke

Thatcher

Thorson

Topp

Trout

Trovatten

Vinje

Watt

Whelan

Wog

Young

Absent and not voting:

Messrs.

Fredrickson

So Max Netzbandt was duly elected as Doorkeeper.

ROLL CALL

The question being on the election of Jake Forester, of Dickinson, N. D., as Doorkeeper, the roll was called and there were ayes, 48; nays, 0; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.

Bonzer

Braaten

Brostuen

Cain

Coffey

Crandall

Drew

Dubay

Eastgate

Erickson

Ettestad

Fine

Messrs.

Handley

Johnson

Jones

Kamrath

Kolpin

Kroeber

Lemke

Lind

Lowe

Lynn

Marshall

Matthaei

Messrs.

Nelson, Barnes

Nelson, Grand Fks.

Owings

Peterson

Strehlow

Stucke

Thatcher

Thorson

Topp

Trout

Trovatten

Vinje

Messrs.	Messrs.	Messrs.
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So Jake Forester was duly elected as Doorkeeper.

ROLL CALL

The question being on the election of Chester Hamilton, Eckman, N. D., as Special Messenger, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So Chester Hamilton was duly elected as Special Messenger.

ROLL CALL

The question being on the election of Henry Jacobson, Cando, N. Dak., as Telephone Messenger, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow

Messrs.	Messrs.	Messrs.
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So Henry Jacobson was duly elected as Telephone Messenger.

ROLL CALL

The question being on the election of Joe Volk, Jr., of Linton, N. Dak., as Assistant Sergeant-at-Arms, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So Joe Volk, Jr., was duly elected Assistant Sergeant-at-Arms.

ROLL CALL

The question being on the election of W. H. Rickbeil, of

Cavalier, N. D., as Governor's Messenger, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So W. H. Rickbeil was duly elected as Governor's Messenger.

ROLL CALL

The question being on the election of H. W. Anderberg, Jamestown, N. Dak., as Assistant Proofreader, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So H. W. Anderberg was duly elected as Assistant Proof-reader.

The President administered the oath of office to the new Senate employees, except: Emil Strand, Nels Johnson, S. I. Coffell, L. Nappen, T. O. Thompson, Chas. Severin, Jake For-ester and C. A. Patterson.

Senator Erickson moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

THIRD DAY

Senate Chamber,
Bismarck, North Dakota,
January 10, 1935.

The Senate convened pursuant to adjournment, the Presi-dent presiding.

Prayer by Chaplain Rev. Nelson E. Ellsworth.

Roll call: All Senators present except Frederickson, Topp and Trovatten.

The President announced that a quorum was present.

Senator Fine moved that all absent Senators be excused.

Which motion prevailed.

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

Mr. President: Your Temporary 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:

Page 5, strike lines 9 to 31 inclusive and insert in lieu thereof the following:

Roll call: All senators present except: Fredrickson, Mutchler, Thatcher and Trout.

Page 1, line 3, strike out "aind" and insert "and."

And when so corrected recommend that the same be ap-proved.

MELVIN JOHNSON,
Chairman.

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

Senator Watt moved that his motion on page two of the Senate Journal for the first day after recess be stricken from the records.

Which motion prevailed.

PETITIONS AND COMMUNICATIONS

Report of the Board of State Capitol Commissioners was presented.

Senator Erickson moved that the report of the Board of the State Capitol Commissioners be printed in the Journal.

Which motion was seconded.

Senator Eastgate made a substitute motion that the report of the Board of State Capitol Commissioners be referred to the Committee on State Affairs and if they see fit to have it printed in the Journal it can be printed later.

Which motion prevailed.

Resolution of Eagle Farmers Union Local signed by M. Bolme, Secretary, was read.

Senator Johnson moved that the Resolution as read be referred to the Committee on Appropriations and the title be printed in the Journal.

Which motion prevailed.

A Joint Resolution directing the Governor to Proclaim October 11th of each year "General Pulaski's Memorial Day" was read and referred to the Committee on State Affairs.

CONCURRENT RESOLUTION No. "A"

Introduced by Senators E. E. Greene, McDonald, Fowler and Drew

Resolution Memorizing the Congress of the United States to Continue Federal Aid to School Districts in Financial Distress.

WHEREAS, The federal government during the year 1934 did grant to the teachers employed by distressed school districts financial assistance by paying salaries to teachers, thus enabling many school children in the drouth area to secure schooling who would otherwise have been denied it, and

WHEREAS, Such aid now being furnished will expire January 31, 1935, or within twenty-one days, and

WHEREAS, While recognizing the state's responsibility to provide assistance to such distressed school districts we must acknowledge that in the ordinary course of legislative action any financial plan devised will be too late to be of assistance during the present term, and

WHEREAS, The financial crisis of the entire public school system is bound to grow more serious and will unless aid is forthcoming, result in the loss of school privileges to at least twenty-five per cent of the school children living on farms and in small towns, villages, etc.,

THEREFORE, Be it resolved, that the Senate of the State of North Dakota, the House concurring, respectfully and

urgently memorialize the Congress of the United States to direct that the Federal Emergency Relief Administration continue the relief aid now being furnished to distressed school districts for the balance of this school term or until such time as may be necessary to secure special state revenue for such purposes.

Senator Greene of Stutsman asked unanimous consent that the rules be suspended, Concurrent Resolution "A" be read the second time and roll call taken.

Which motion prevailed.

SECOND READING OF CONCURRENT RESOLUTION
No. "A"

Concurrent Resolution No. "A" was read the second time.

ROLL CALL

The question being on the adoption of Concurrent Resolution No. "A," 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Fredrickson

So the resolution was declared adopted.

Josephine Selvig, of Plaza, N. D., was duly sworn in by the President as Senate Stenographer.

Senator Bonzer asked unanimous consent to return to the Sixth Order of Business.

Which request was granted.

Your select committee on Committees beg leave to report as follows:

That the following named standing and joint committees shall be comprised of the following named Senators, to-wit:

AGRICULTURE: Thorson (Chairman), Fine, Eastgate, Kamrath, Dubay, Trovatten, Nelson of Grand Forks, Nelson of Barnes, Ettestad, Lind, and Green of Stutsman.

APPROPRIATIONS: Fredrickson (Chairman), Marshall, Watt, Stucke, Matthaei, Brostuen, Erickson, Eastgate, Gronvold, Dubay, Handley, Trovatten, Miklethun, Thatcher, Lemke, Lowe, and Greene of Cavalier.

APPORTIONMENT: Kamrath (Chairman), Wog, Strehlow, Peterson, Cain, Brostuen, Coffey, Stucke, Greene of Cavalier, Lowe, Johnson, McGillic, McDonald, Fowler, Owings, Braaten, Topp, Drew, Kroeber, Jones, Vinje, Whelan, and Trout.

BANKS AND BANKING: Fine (Chairman), Fredrickson, Thatcher, Whelan, Fowler, Cain, Marshall, Trovatten, Jones, Watt, Erickson, Strehlow, Miklethun, Peterson and Lind.

CITIES AND MUNICIPAL CORPORATIONS: Jones (Chairman), Drew, Stucke, Green of Stutsman, Young, Owings, Crandall, Johnson, Vinje, Braaten and Coffey.

CORPORATIONS OTHER THAN MUNICIPAL CORPORATIONS: Lynn (Chairman), Brostuen, Young, Strehlow, Crandall, Braaten, Trout, Nelson of Barnes, and Johnson.

COMMITTEE ON COUNTIES: Trout (Chairman), Gronvold, Wog, Kolpin, Topp, Lynn, Nelson of Grand Forks, Kamrath, Lemke, Young and McGillic.

EDUCATION: Marshall (Chairman), Eastgate, Fine, Greene of Stutsman, Coffey, Owings, Trout, Vinji, Thatcher, Mutchler and Crandall.

ELECTIONS: Erickson (Chairman), Cain, Bonzer, Gronvold, Trout, Mutchler, Topp, Greene of Cavalier and Kroeber.

ENROLLED AND ENGROSSED BILLS: Whelan (Chairman), Wog, Lind, Braaten, and Nelson of Barnes.

FEDERAL RELATIONS: Coffey (Chairman), Ettestad, Drew, Lind, Greene of Cavalier, Thatcher and Owings.

GAME AND FISH: Handley (Chairman), Lemke, Peterson, Young, Gronvold, Thorson, Kroeber, Matthaei and Johnson.

HIGHWAYS: Peterson (Chairman), Brostuen, Eastgate, Wog, Drew, Bonzer, Fredrickson, Lowe, Kolpin, Lemke and Young.

IMMIGRATION: Dubay (Chairman), Braaten, McGillic, Mutchler, Trout, Nelson of Grand Forks, Lynn, Coffey and McDonald.

INDIAN AFFAIRS: Mutchler (Chairman), Johnson, Stucke, Dubay and Kamrath.

INSURANCE: Matthaei (Chairman), Fredrickson, Fine, Wog, Cain, McGillic, Eastgate, Coffey, Owings, Thatcher and Bonzer.

IRRIGATION AND DRAINAGE: Gronvold (Chairman), Brostuen, Marshall, Jones, Drew, Ettestad, Strehlow, McGillic and Kolpin.

JUDICIARY: Cain (Chairman), Fowler, Matthaei, Fine, Erickson, Stucke, McDonald, Marshall, Gronvold, Greene of Stutsman, Lynn, Coffey, Johnson, Ettestad, Young, Whelan and Thatcher.

LIVESTOCK: Eastgate (Chairman), Watt, Wog, Kamrath, Trovatten, Thorson, Kolpin, Greene of Cavalier, Topp, Nelson of Barnes and Mutchler.

MILEAGE AND PER DIEM: Watt (Chairman), Greene of Stutsman and Wog.

MILITARY AFFAIRS: Lemke (Chairman), Fine, Whelan, Trovatten, Handley, Bonzer, Watt, Peterson and Lynn.

MINES AND MINERALS: Lind (Chairman), Ettestad, Stucke, Vinje, Trovatten, Johnson, Kamrath, Handley and Topp.

PUBLIC HEALTH: Stucke (Chairman), Drew, Vinje, Marshall, McDonald, Trout, Thorson, Kamrath and Crandall.

PUBLIC LANDS: Miklethun (Chairman), Fine, Dubay, Topp, Lemke, McDonald, Jones, Kamrath and Owings.

PUBLIC PRINTING: Johnson (Chairman), Brostuen, Braaten, Fine, Trout, Cain, Nelson of Barnes, Mutchler and McGillic.

RAILROADS: McDonald (Chairman), Matthaei, Fowler, Bonzer, Whelan, Gronvold, Nelson of Barnes, Eastgate, Ettestad, Young, Crandall and Kroeber.

REVISION AND CORRECTION OF JOURNALS: Owings (Chairman), Johnson and Nelson of Grand Forks.

RULES: Thatcher (Chairman), Marshall, Trout, Handley, Peterson, Lynn and Kolpin.

STATE AFFAIRS: Bonzer (Chairman), Wog, Fowler, Watt, Erickson, Greene of Stutsman, Matthaei, Miklethun, Trovatten, Peterson, Cain, Ettestad, Brostuen, Handley, Whelan, Stucke and Lind.

STATISTICS: Kroeber (Chairman), Thorson, Nelson of Grand Forks, Trovatten, Gronvold, Mutchler and Lowe.

TAX AND TAX LAWS: Brostuen (Chairman), Wog, Bonzer, Fowler, Greene of Stutsman, Cain, Ettestad, Peterson, McGillic, Whelan, Drew, Trout, Fine, Erickson and Handley.

TEMPERANCE: Ettestad (Chairman), Miklethun, Erickson, Matthaei, Kamrath, Thorson, Dubay, Lemke, Braaten, Crandall and Lowe.

WAREHOUSE AND GRAIN GRADING: Greene of Stutsman (Chairman), Thorson, Watt, Lind, Fredrickson, Whelan, Miklethun, Eastgate, Topp, Mutchler and Lowe.

WAYS AND MEANS: Wog (Chairman), Dubay, Thorson, Handley, Jones, Strehlow, Vinje, Nelson of Barnes and Lynn.

WOMEN'S AND CHILDREN'S WELFARE: Drew (Chairman), Stucke, Vinje, Dubay, Thorson, McDonald, Jones, Nelson of Grand Forks and Greene of Cavalier.

PUBLIC SAFETY: Nelson of Barnes (Chairman), Watt, Drew, Marshall, Erickson, Greene of Cavalier, McGillic, Lynn and Topp.

DELAYED BILLS: Trovatten (Chairman), Vinje, Young, Ettestad, and Crandall.

JOINT COMMITTEES

PUBLIC BUILDINGS: Topp (Chairman), Miklethun, Lemke, Dubay, Strehlow, Kamrath and Lynn.

CHARITABLE INSTITUTIONS: Strehlow (Chairman), Peterson, Vinje, Kolpin, Watt, Jones, Trout.

EDUCATIONAL INSTITUTIONS: Crandall (Chairman), Miklethun, Johnson, Handley, Drew, Marshall and Mutchler.

PENAL INSTITUTIONS: Braaten (Chairman), Lowe, Nelson of Barnes, McDonald, Lind, Kolpin, and Nelson of Grand Forks.

STATE LIBRARY: Kolpin (Chairman), Bonzer, Fowler, Brostuen, Mutchler, Topp and Kroeber.

JOINT RULES: Fowler (Chairman), Cain, Matthaei, Crandall, Young, Thatcher, and Greene of Cavalier.

LABOR: Greene of Cavalier (Chairman), Nelson of Grand Forks, McDonald, Jones, Kroeber, Gronvold and McGillic.

INSURANCE: McGillic (Chairman), Coffey, Lowe, Eastgate, Lind, Greene of Cavalier and Fredrickson.

That the number of the members of the committee on Tax and Tax Laws be increased from eleven to fifteen.

Respectfully submitted,

WALTER WELFORD,
Lt-Goveror, Chairman,
A. W. FOWLER
A. F. BONZER, Jr.
A. A. TROVATTEN
W. E. MATTHEAI.

Senator Erickson requested that his name be dropped from all committees and the records so show.

Senator Bonzer made the request of Senator Erickson as a motion.

Senator Erickson requested a roll call.

A rising vote was taken, and roll call granted.

ROLL CALL

The question being on the motion of Senator Bonzer, the roll was called and there were ayes, 23; nays, 24; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Matthaei
Braaten	Jones	McGillic
Cain	Kamrath	Miklethun
Coffey	Kroeber	Nelson, Barnes
Dubay	Lemke	Peterson
Eastgate	Lind	Vinje
Fowler	Lowe	Whelan
Greene, Stutsman	Lynn	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Kolpin	Thatcher
Crandall	Marshall	Thorson
Drew	McDonald	Topp
Ettestad	Mutchler	Trout
Fine	Nelson, Grand Fks.	Trovatten
Greene, Cavalier	Owings	Watt
Gronvold	Strehlow	Wog
Handley	Stucke	Young

Absent and not voting:

Messrs.
Fredrickson

Passed:

Messrs.
Erickson

Which motion was lost.

Senator Cain: Since Senator Erickson has requested that he be relieved from serving on the committees to which he is named, I am willing to grant his request and vote aye.

Senator Wog requested that the Senate be on the Seventh Order of Business.

Which request was granted.

Senator Wog moved for the nomination of W. J. Church, of Burleigh County, as second assistant secretary of the Senate.

ROLL CALL

The question being on the election of W. J. Church as Second Assistant Secretary, 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.
Bonzer	Johnson	Nelson, Grand Fks.
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Cain	Kolpin	Strehlow
Coffey	Kroeber	Stucke
Crandall	Lemke	Thatcher
Drew	Lind	Thorson
Dubay	Lowe	Topp
Eastgate	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young
Handley	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.
Erickson	Fredrickson

So W. J. Church of Bismarck, N. D., was declared duly elected as Second Assistant Secretary of the Senate.

Senator Bonzer moved that the Senate return to the Sixth Order of Business.

Which motion prevailed.

Senator Bonzer moved that the report of the committee on Committees be adopted as read and printed in the Senate Journal.

Which motion prevailed.

The President administered the oath of office to W. J. Church of Bismarck, North Dakota.

Senator Erickson moved that the Senate recess for ten minutes to consider the selection of chairs for committee rooms.

Which motion prevailed.

Senator McDonald moved that the all-steel chair costing \$2.45 apiece be purchased for the committee rooms.

Which motion was seconded.

Senator Erickson announced that more information in regard to chairs had just been received and requested action be delayed one day.

Senator McDonald withdrew his motion.

Senator Johnson moved that the temporary committee on Revision and Correction of the Journal be discharged.

Which motion prevailed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Urban Oscarson, of Galchutt; Herman Johnson, Wahpeton; F. M. Gillreath, Linton; Mrs. William Rickbeil, Cavalier; August Herberg, Merricourt; Christ Rempfer, Merricourt; George Briderstet, Merricourt; Fred F. Stanlecker, Merricourt; Edwin Herberg, Merricourt; Christ Klipfel, Monango; Richard Lucke, Oakes; Mrs. A. L. Mattson, Oakes; Mr. A. L. Mattson, Oakes.

Senator Erickson moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

FOURTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 11, 1935.

The Senate convened pursuant to adjournment, the President presiding.

Prayer by Chaplain Rev. Nelson E. Elsworth.

The roll was called and all Senators were present except Senators Trout and Wog.

The President announced that a quorum was present.

Senator Thatcher moved that all absent Senators be excused.

Which motion prevailed.

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

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

Page 2, line 5, strike out "Bismarck" and insert "Eckman."

Page 7, line 36, strike out "Clarise" and insert in lieu thereof, "Clarice."

Page 13, line 13, strike out "Bismarck" and insert "Eckman."

Page 20, line 38, strike out "Trovaaten" and insert "Trovatten."

Page 21, line 23, strike out "Vinjie" and insert "Vinje."

Page 21, line 44, strike out "N" and insert "A."

Page 24, line 11, strike out "Galschutt" and insert "Galchutt."

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

Senator Peterson moved the nomination of the following Senate employees:

Cloakroom Attendant—H. H. McCumber, Pettibone.

Committee Clerk—Philip Heiling, Valley City.

Doorkeeper—Henry Zimmerman, Lansford.

Which motion prevailed.

ROLL CALL

The question being on the election of H. H. McCumber, Pettibone, as Cloakroom Attendant, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Crandall	Lemke	Stucke
Drew	Lind	Thatcher
Dubay	Lowe	Thorson
Eastgate	Lynn	Topp
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Jones	Trout
Fredrickson		

So H. H. McCumber was duly elected as Cloakroom Attendant.

ROLL CALL

The question being on the election of Philip Heiling, Valley City, as Committee 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Cain	Kolpin	Peterson

Messrs.	Messrs.	Messrs.
Coffey	Kroeber	Strehlow
Crandall	Lemke	Stucke
Drew	Lind	Thatcher
Dubay	Lowe	Thorson
Eastgate	Lynn	Topp
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Jones	Trout
Fredrickson		

So Philip Heiling was duly elected as Committee Clerk.

ROLL CALL

The question being on the election of Henry Zimmerman, Lansford, N. D., as Doorkeeper, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Crandall	Lemke	Stucke
Drew	Lind	Thatcher
Dubay	Lowe	Thorson
Eastgate	Lynn	Topp
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Jones	Trout
Fredrickson		

So Henry Zimmerman was duly elected as Doorkeeper.

The President administered the oath of office to H. H. McCumber, Henry Zimmerman, Emil Strand, Nels Johnson, S. I. Cofell, L. Nappen, T. O. Thompson, Chas. Severin, and Jake Forester.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A resolution by the Board of County Commissioners of Traill County, signed by Edwin L. Bagge, chairman, and

other members of the Board of County Commissioners for the restoration of all motor vehicle license fees for road purposes.

A like resolution by the Board of County Commissioners of Sargent County, signed by Edwin Isakson, chairman, and other members of the board.

Senator Gronvold moved that the above petitions be referred to the Committee on State Affairs, and the title be printed in the Journal.

Which motion prevailed.

A petition was presented relative to taxes on land held by the Bank of North Dakota, signed by Herman Romine, chairman of the Board of County Commissioners of Pierce County, which petition was referred to the Committee on Taxes and Tax Laws.

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

January 11, 1935.

To the Senate of the Twenty-fourth Legislative Assembly of the State of North Dakota.

Gentlemen:

Pursuant to the provisions of Section 75 of the Constitution of our State, I am submitting herewith my message to the Legislative Assembly.

Respectfully,

THOS. H. MOODIE,
Governor.

Senator Drew moved that the Message of Governor Moodie be read from the desk and printed in the Senate Journal.

Which motion prevailed.

MESSAGE TO THE LEGISLATURE

by

Thomas H. Moodie
Governor

Twenty-fourth Legislative Assembly
of the State of North Dakota
1935

MESSAGE

To the Members of the Twenty-fourth
Legislative Assembly:

I have the honor to submit to you, in accordance with constitutional provisions, a message as the incoming Governor of the State of North Dakota.

May I assure you at the outset of an honest and sincere desire to cooperate with the members of this legislature, which meets at a time when it must face and intelligently dispose of many grave problems touching the welfare of North Dakota.

May we together approach these problems, not in the spirit of political opponents, but as servants of the state elected by the people and charged with great responsibility.

In that spirit may we recognize and manfully face the fact that 250,000 of our people, or more, in approximately 50,000 families, at this time are upon federal relief rolls. May we recognize that these are times of social and economic crises, not only in North Dakota, but throughout the nation, which demand the most unselfish service, the most kindly consideration of the plight of the unfortunate, the keenest and closest analysis, and vision and planning which will fit the needs of the times and the condition in which approximately one-third of the people of North Dakota find themselves.

May we hope that as we honestly and resourcefully face this great human problem we shall have the support and co-operation of all the people and that splendid spirit they have ever demonstrated. May we be guided by the principle that the welfare of the people must be the first concern of the state. Upon the honor and integrity of the individual, and upon his individual resourcefulness, much depends at this time in North Dakota.

The relief situation in North Dakota is largely the result of forces which the people cannot control, such as continued drouth, crop failure, low prices for agricultural products, together with unemployment, which finds upon our registered unemployed lists more than 30,000 people in the state's towns and cities.

The results of these conditions are pitiful in the extreme. They are a challenge to co-operation which should submerge all merely partisan considerations and invoke not only sympathy but constructive action, since the social and moral consequences of these conditions are clearly evident all about us.

May the same splendid spirit which has sustained the people through continuing years of crises inspire the officers of the state to the highest sense of duty, to a realization that political situations should never rank above human considerations, and that as North Dakotans we must resolutely go forward to better days and to the honest and constructive solution of the many vexed matters with which we are now confronted.

I am confident we shall have this co-operation, and for my part I cheerfully pledge it to the members of this legislature and to the people of the state.

North Dakota is an agricultural state with a fixed destiny. Basic to the prosperity of every interest in this state is the

interest and the welfare of the North Dakota farmer. May this fact always be borne in mind in the shaping and passage of economic legislation by our legislature. I stand firmly for the co-operation of the state in assisting farm co-operatives, in disseminating education which will make available to our people the tremendous recent results of scientific research. So far as it is within the province of the state to do so, it should continue to take an active interest in the farmers' marketing problem, and to support every well-considered measure which will safeguard his interests in the field of marketing.

There has recently been created under federal supervision, and is now functioning, a state planning board. It is directing study to intelligent and coordinated plans for the fullest development of all the state's resources. It is my understanding that it will give special attention to a land use program which I am convinced is the place of beginning for the solution of many of our agricultural problems. May I hope for the fullest co-operation from the legislature for this body and for its work.

In addition to the land use program it will give special attention, I am informed, to the subject of water conservation which has become of outstanding interest in North Dakota. The planning board will also take up many other matters within its legitimate field.

The theory under which it is organized and work which it is undertaking follows like action in other states which has already had splendidly constructive results.

From my limited opportunity to become familiar with the financial situation of the state I am convinced that the most important matter which will come before this legislature is consideration of our taxation problem.

It is my belief that the system of taxation under which we are operating no longer fits the times nor the needs of the state of North Dakota.

Evidence that our present taxation system has broken down is plentiful in the figures covering delinquent taxation, in foreclosures under which our people have lost their homes or their property, in the plight of the state educational system, and in the abuses which have grown up as a result of these conditions. The state must continue to function; it must continue to pay its bills; it must continue to support an adequate educational system; it must discharge its duties to the aged and indigent, it must continue to care for those who, because of mental affliction or physical limitation, are unable to take care of themselves.

It is most evident that many appealing plans for social betterment already under way in other states must await better times and more ability on the part of the people to support them than is now evident in North Dakota.

I believe consideration of the taxation problem is a matter which should be gotten under way, at the earliest pos-

sible moment, by the committees on taxation of the House and Senate, to the end that as soon as possible the legislature may have available for debate and consideration a revised system of taxation which will meet the vexed conditions with which we are confronted in this field today.

It is also most evident that there must be the most rigid economy in the conduct of all the departments of the state. We have too often in the past promised economy without effecting it. There is a distant and emphatic challenge in present conditions to make economy in the administration of state affairs a reality rather than a campaign promise or a party shibboleth.

To this end it is possible that the interests of the state may be well served by a survey of all its departments made by competent authorities to the end that duplications be avoided, that a consolidation of duties be effected within departments and that systems of operation be developed which will reduce operating expenses to a minimum which will still insure the utmost efficiency.

I hope this session of the state's legislature will again go on record in support of the Great Lakes - St. Lawrence Waterway, and also for a resurvey of the Missouri River Diversion project which I am convinced has been dismissed without the consideration it merits from the federal government at a time when it is most apparent, because of unemployment and general conditions, that large unit water conservation projects of practical utility are most necessary in the new national economy.

The harassing experiences of the past few years have caused grave concern among our people concerning their homes. I am continuing the moratorium of Governor Ole Olson during the present emergency conditions, since I believe that it is of paramount importance that our people shall be assured they shall not lose their homes at a time when they are handicapped by drouth, low prices for agricultural products, the pitiful results of unemployment and other factors which enter into the distressed situation of these times. I am opposed to and shall oppose moratorium by executive order except in cases of the gravest emergency. I shall favor and advocate a moratorium law which will protect our homeowners, our businessmen who are suffering the reaction of general farm conditions, and all honest interests which now find themselves in financial difficulties which are the result of an emergency situation. I hope for the passage of a moratorium law embodying the feature of judicial determination which will meet the needs now so clearly in evidence in the field it is designed to cover.

I am unalterably opposed to the practice which has grown up within our state of collecting campaign funds from either state or federal employees on a percentage of salary basis. It is my belief that this system has resulted in much corruption, in rewards for inefficiency, in vitiated morale among state employees, and in a train of evils that should give all friends of clean and honest government the greatest concern.

I favor civil service for all state employees in classifications to be determined in accordance with the civil service system as it has been successfully demonstrated in other states.

The need for economy in conducting the affairs of the state is so evident that I hope the legislature may find time and opportunity to consider the advisability of adopting certain measures to effect it. May I suggest as worthy of consideration to the end of effecting economies:

1. The abolition of the preferential presidential primary.
2. The election of state officers for terms of six years, no officer to be eligible for re-election after having served a six years' term.
3. Investigation of the economies which may be effected by the abolition of minor political subdivisions, which have not the ability to meet current tax levies; consolidation of counties and school districts.
4. Consideration for the unicameral legislative system.

I do not deem it a duty of an incoming governor to discuss in detail the affairs of state departments. These are before the legislature in reports of state officers prepared with much fidelity to detail. I commend them to the careful investigation of the members of the house and senate.

In conclusion may I reaffirm a pledge that I will cooperate in every way possible along sound and constructive lines to make the present session of the legislature constructive and effective in dealing with all the problems of the state.

Senator Green of Stutsman moved that the Message of Ole H. Olson, retiring Acting Governor be read from the desk and printed in the Senate Journal.

Which motion prevailed.

To the Members of the Twenty-fourth Legislative Assembly,
Greetings:

I understand that it is my duty under Section 75 of the Constitution, which I have taken an oath to uphold, to present a message to you at the commencement of your session.

The time honored custom has been to present this message in person at a joint meeting of the two bodies but personal duties make me unable to wait longer to do so. I have been absent from my family for something over five months and I must in a short time again devote myself to fulfilling certain duties on behalf of the Farmers' Union that will again require my absence from home. I have therefore decided to present the individual members of the Legislative Assembly with my written message and accompanying this letter is a brief communication on the affairs of the state. I only hope that my remarks will be of assistance in shaping laws of benefit and protection to our people. In the transmittal of

this message, I feel that I have fulfilled, as I understand it, my last duty as Acting-Governor, and in parting, I wish each of you Godspeed and may you truly serve our beloved state in preserving and promoting the interests of all of our people.

Respectfully, submitted,

OLE H. OLSON.

Senator Matthaai moved that the communication from Ole H. Olson be printed in the Senate Journal, and that it precede the printing of the Message.

Which motion prevailed.

MESSAGE TO THE LEGISLATURE

By

Ole H. Olson

Acting Governor

Twenty-fourth Legislative Assembly

of the State of North Dakota

1935

TO THE MEMBERS OF THE TWENTY-FOURTH LEGISLATIVE ASSEMBLY:

As outgoing Acting Governor it devolves upon me to appear before you to give you a short outline of the affairs of state at this time, together with a few recommendations that might be of assistance to you in enacting laws to promote the general welfare of the people of our state.

Four years ago the legislature found it necessary to replace the old capitol building destroyed by fire with a new structure which we are meeting in for the first time. We are all agreed that we have a structure which is a credit to the state, and it is being recognized as one of the most modern, practical up-to-date architectural designs in the country. May this building be an inspiration and an idea by which we can well be guided, even in the art of lawmaking.

TAXES

Section 208 of our constitution makes it the settled policy of the state to preserve to the families the homes they occupy. I believe it to be proper and necessary that we have a system of taxation based upon what is commonly known as the graduated land tax principle, that is, that certain exemptions be granted to owners of homes and farms in possession of and using their property as such and shifting some of this burden to those who hold for speculation more land than they can use. Furthermore, I believe that the only title to ownership of land belongs to the men and women who live on and till the soil.

THE DISTRIBUTION OF PUBLIC UTILITY TAX REVENUES

I recommend that the distribution of public utility taxes be so changed that tax revenues from such properties will be more equitably distributed to the various political subdivisions.

STATE CARE FOR INSANE, FEEBLEMINDED, AND TUBERCULAR

I believe that the state as a whole should assume all responsibility for the care of the insane, feeble-minded, and tubercular in the state institutions in the same manner as the penitentiary is financed, and relieve the counties of this burden.

STATE SUPPORT OF LOCAL EDUCATION

It is the duty of the state to its citizens to see that they have equal opportunities to secure an education regardless of location, and in this measure the state should assist financially those who are unable to give that required training. This applies particularly to rural schools.

THE OLD AGE INSURANCE OR PENSION SYSTEM

Realizing the necessity of security in old age, the 1933 Legislative Session enacted an old age pension law. The income which this law provided proved to be inadequate to take care of the 4,000 persons who have been approved as entitled to old age pensions. I urge your serious consideration in correcting this condition in order to make the law more effective.

STATE EMERGENCY RELIEF OF UNEMPLOYED

Because of the extraordinary critical situation brought on by the drouth, the Federal Government has financed the relief of the needy people of our state. Because of the very grave situation, I would urge that we draw upon all of the resources of our state to protect our people—that even the issuance of bonds be considered, to assist our people in carrying on.

STATE MILL AND ELEVATOR AT GRAND FORKS

Having been interested in the cooperative movement for the past quarter of a century, it was my pleasure, together with the other members of the Industrial Commission, upon assuming my duties as chairman of the Industrial Commission, to reorganize and turn over the grain marketing business of the Mill and Elevator to the agency established as the Farmers National Grain Corporation which has rendered us a most valuable and efficient service.

The Mill and Elevator at Grand Forks was originally promoted for the purpose of demonstrating the high quality of North Dakota hard spring wheat and supplying the state with its products made from this wheat at a reasonable cost. It was also hoped that the institution would operate at a

profit that would meet the operating expenses, and in addition set up a fund to eventually pay the construction costs of the plant.

I believe the people of the state have realized considerable benefits in reasonable flour prices and also in wheat prices, due to the operations of the Mill and Elevator during the past twelve years, but all our hopes for these benefits have not been fully realized. In my opinion, the greatest obstacle in the way of successful operation of the Mill and Elevator has been the influence of political turmoil the business has encountered from time to time. This obstacle, or disadvantage, was recognized in the earliest operations of the plan, and legislation was passed from time to time, with the view of correcting this condition.

At the outset, the Mill and Elevator was managed by the State Industrial Commission, organized as the State Mill and Elevator association. To remove the institution from politics the Mill and Elevator Law was amended, providing for the placing of the management of the Mill and Elevator in the hands of a board of managers, consisting of five members. This arrangement resulted only in adding five more politicians to the Mill and Elevator management.

To correct this condition the next legislature amended the Mill and Elevator Act by giving the Governor full and complete management of the State Mill and Elevator.

In 1931 the law was again amended, providing that the management be placed in the hands of three persons to be appointed by the Governor.

The Mill and Elevator Law was again amended by the legislature of 1933 re-establishing the Mill and Elevator Association, consisting of the State Industrial Commission, which leaves the management in the same position as the original law under which the plant was built and started operations. In other words, we have made the rounds of all these plans to take the mill out of politics and now we are back where we started.

I have come to the conclusion that the Mill and Elevator is in politics only as far as it is put in by its management in charge. I believe that we should benefit from our past experiences gained from the changes and leave the Mill and Elevator management in the hands of the Industrial Commission as originally planned. The Mill and Elevator will be in politics to the extent it is put in, and responsibility can then be centered in the commission of elected officials.

When I became a member of the Industrial Commission, one of the first moves made was to reduce the amount of wheat required at the mill in exchange for a barrel of our Dakota Maid Flour from seven to six bushels, in this way saving farmers a bushel of wheat for each barrel of flour they consume. About 27,000 barrels of flour have been exchanged for wheat by the State Mill since this rule was put into effect about August 1. This meant a saving during this

time of about \$27,000 to the people who dealt with the State Mill. The other flour mills of the State generally followed suit, which means that several times this amount was saved by all the farmers of the state. The price of flour sold for cash in the state has been kept down to a reasonable margin of profit during this time.

The compilation of the financial results of the operation of the Mill for the month of December, 1934, has not been completed and is not available at this time. The statement of affairs as compiled by the mill accountant and presented to the Industrial Commission for the period from August 1 to November 30, 1934, shows an operating profit for the period of \$88,854.99 or about \$22,000.00 per month. This is the profit before taking into account charges for depreciation and bond interest. The previous period of the year, January 1, to July 31, 1934, as compiled by the State Board of Auditors, shows an operating loss of \$16,519.39 before considering bond interest and depreciation.

The report from the mill shows 240,314 barrels of flour manufactured during the four months from August 1 through November 30, 1934, or an average of over 60,000 barrels per month, which is one of the best showings in the history of the mill. We have made considerable progress toward the use of the Mill and Elevator for service to our people and not for profit and despite expectations by some, have found this to be the best financial policy as well.

This was done with the high quality of our Pure Northern Spring Wheat flour as the only sales argument, which leads me to continue believing that the results of the operations of the State Mill and Elevator could be made to fulfill all our expectations if it is operated on a sound service and business basis and kept out of factional politics.

The employment of a competent and qualified manager free from political influence and with a free hand of business policies is the most important factor in the successful operation of the mill.

BANK OF NORTH DAKOTA

The Bank of North Dakota has been conducted with a view to efficient and profitable administration. An operating profit of approximately \$300,000 was made during the current year.

The Industrial Commission ordered the payment of \$4,000,000 of North Dakota bonds not yet due, which made a total payment and cancellation of \$5,000,000.

The experience of the Bank of North Dakota in collecting interest on farm loans clearly indicates that funds for interest must be obtained from other sources. The past year \$1,100,000 was transferred from the Motor Vehicle Registration Fund. Unless another source of income is found for the Real Estate Interest Fund, it might be well to renew the law again, transferring a part of the Motor Vehicle Registration Fees.

This institution has been of immeasurable service to the people of our state.

BUDGETS

I urge your serious consideration of the budgets as submitted by the Budget Board. Of course, we realize that it is necessary to keep expenses down as much as possible, but we must not go so far as to cripple the successful operations of the state departments. The budget board has tried as near as possible to keep within the limits recommended by the last legislature, and I believe the vetoing of items passed by the legislature was a serious mistake and not in line with good business policy.

GOVERNOR'S OFFICE

On July 20, 1934, when the affairs of that office came into my hands, I found that the appropriation supposed to last until July 1, 1935 was practically exhausted. In order to secure the assistance needed to carry on the efficient work of the office, I appointed C. Liebert Crum as Grain Storage Commissioner, and as the duties of that position are now light, he loyally and ably devoted practically all of his time to problems of the moratorium and other legal business concerning the Governor's office, and in cooperation with others in the office whose loyalty and assistance I value highly, relieved me of the burden of many troublesome and important matters. I estimate that something over 3,000 cases involving the moratorium have been handled during the past six months.

In general, I may say that the many serious problems that today confront our people cause them to apply more and more to the governor's office for guidance, assistance, and advice, and unless this demand is to be ignored, or lessens, provisions must be made for an increased staff of more than ordinary training and ability for that office.

GENERAL POLITICAL CONDITIONS

I believe we all admit that for some time in North Dakota we have experienced a hectic and unsettled political situation. There have been charges and counter-charges, great surges of human passion have swept over the prairie, and have found bitter expression. We face the New Year for which I have great hope. Let us not be discouraged. Let us remember that such situations have occurred before. Let us not, however, forget the lessons we have learned. These United States themselves were founded amid turmoil and in its infancy the father of our country, George Washington, our first president, discussed a similar situation in the following words. I quote from his farewell address, delivered in 1796:

"The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual, and sooner or later, the chief

of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation, on the ruins of public liberty.

"It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms, kindles animosity of one part against another, foment occasional riot and insurrection. It opens the doors to foreign influence and corruption."

I sincerely feel that the warning and advice uttered by the father of our country nearly 139 years ago as the essence of an unselfish wisdom distilled from long experience in public life have been confirmed over and over again and that one must be unworthy indeed to refuse to profit by our recent demonstrations of the soundness of such remarks.

MORATORIUM

I earnestly recommend that serious consideration be given to the question of the moratorium by the legislature that we may have a legal moratorium and thus take this responsibility off the shoulders of the chief executive.

PUBLIC OWNERSHIP

I feel that the trend of our national government is and should be toward an extension of the practice of public ownership, of public utilities, and I believe that the state should encourage, in a practical way, municipal ownership and operation of public utilities, and that cooperative groups of farmers should be assisted to set up a system of storage, distribution, and marketing of their products.

CONCLUSION

Too long have we had a tendency to classify all suggested solutions of our economic and social problems by labeling them Socialism, Capitalism, or some other "ism." Such tactics have in the past taken the place of thinking and have retarded progress. I trust that this legislature will face its problems free from such prejudice and as free as possible from party prejudices and examine each issue presented in the manner of one sincerely working for the common good.

In closing, may I thank the officers and employees of the state for the courtesy and consideration that has been shown me. To the gentleman who succeeds me, I sincerely extend my best wishes and may he bring the people of North Dakota peace, progress, prosperity, and rain.

In retiring from the responsibilities which circumstance thrust unexpectedly upon me, I feel that despite my personal shortcomings, I have honestly done my duty as it came to me. I have tried to be unafraid and sincere, and I now leave you with my conscience clear and without regrets and may God guide you in shaping the destinies of the state toward better things and times.

OLE H. OLSON,
Acting Governor.

Senator Drew moved that the Message of the Governor and the retiring Acting Governor be printed in pamphlet form in the usual quantity.

Which motion prevailed.

Senator Fine moved for a roll call upon the motion of the Senator from Ramsey.

Which motion was seconded.

Senator Ettetstad moved as a substitute motion that the President appoint a committee of five to confer with a like committee from the House in regard to printing and mailing of Journals, and other public documents.

Which motion prevailed.

The President appointed on such committee Senators Ettetstad, Watt, Fine, Strehlow and Braaten.

Senator Handley asked unanimous consent to return to the Sixth Order of Business.

Which request was granted.

Your select committee on arrangements for supplies and stationery for the Senate are now ready to report.

Your committee now wishes to report that they have arranged with the Board of Administration for requisition by the Secretary of the Senate for supplies needed from time to time.

Respectfully submitted,

W. S. HANDLEY
ED GREENE, of Cavalier
J. K. BROSTUEN.

Senator Erickson reported that there is a balance of almost \$2,000.00 in the Capitol fund, but if the Board of Capitol Commissioners is to continue in office their bonds will expire in the next sixty days and it will be necessary to take out new bonds. He reported they were working on a plan to discontinue the Capitol Commission and convert their duties to the Board of Administration, which will save enough on the bonds to buy new chairs.

Senator Cain moved that the Senate defer reading of Bills until the Rules Committee report and new rules be adopted that will be consistent with the change in the Constitutional provisions.

Which motion prevailed.

CONCURRENT RESOLUTION No. "B"

Introduced by Senator Bonzer

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

WHEREAS, During the past two years the Federal Government has set apart and given to the State of North Da-

kota outright grants of large sums of money to be used to relieve the needy and destitute citizens of the State, and,

WHEREAS, The persons needing the relief obtained through these grants were in the position of need through no fault of their own, but rather through conditions developing as a result of the combination of national and international economic disaster with local drouth conditions and

WHEREAS, Serious need continues through failure of improvement in economic conditions, together with a continuance of drouth, and

WHEREAS, It now appears that the tax collecting power of the state is in grave danger of complete failure because of the inability of farm, home and industrial property to meet the demands made upon them, and,

WHEREAS, The development of this condition prevents the possibility of the state making increased levies to meet the demands for relief needs until revision of the State Constitution can be effected and which will require two years time,

NOW, THEREFORE, BE IT RESOLVED, By the Legislative Assembly of the State of North Dakota, duly convened, that a Memorial be served upon the Congress of the United States, and upon his Excellency, the President of the United States, and upon Harold L. Ickes, Secretary of the Interior, and upon Harry L. Hopkins, Federal Emergency Relief Administrator, to the end that full grant of Federal funds to meet the relief needs of the State may be continued as in the past, and,

BE IT FURTHER RESOLVED, That certified copies of this Joint Resolution be forwarded by the Governor of this State to the President of the United States, to the President of the United States Senate, to the Speaker of the House of Representatives, and to the Members of the North Dakota delegation in Congress.

Senator Matthaei moved the adoption of Concurrent Resolution No. "B."

Which motion prevailed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Erwin Smith, Jr., Fairmount.

Senator Fowler moved that the Senate do now recess until 1:00 P. M., Monday.

Which motion prevailed.

The Senate stood recessed.

F. E. TUNELL,
Secretary.

FOURTH DAY AFTER RECESS AND THE SEVENTH
DAY

Senate Chamber,
Bismarck, North Dakota,
January 14, 1935.

The Senate convened pursuant to recess, President Wel-
ford presiding.

Senator Fowler requested unanimous consent to return to
the Seventh Order of Business for the purpose of introducing
a Joint Memorial Resolution.

Which request was granted.

JOINT MEMORIAL RESOLUTION No. "A"

Introduced by Senators Marshall, Fowler, Whelan, Nelson of
Grand Forks, and Fine

WHEREAS, The all-wise Creator has called to the Great
Beyond, Lottie Frazier, wife of our Senior United States
Senator, Lynn J. Frazier.

BE IT RESOLVED, That this Legislative Assembly hereby
expresses to Senator Frazier and the members of his family
its sincere sympathy and condolence upon this great loss
which he and they have suffered.

That a telegraphic copy thereof be sent to Senator Frazier
signed by the President of the Senate and the Speaker of
the House.

That there be also prepared and sent to Senator Frazier
an embossed copy hereof, signed by both of said officers.

Senator Fowler moved that the Resolution be adopted by
a rising vote.

Which motion prevailed, and the Resolution was adopted.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received
and read from the desk:

A telegram addressed to Senator Lind, signed by the Farmers Union Oil Company of Williston, demanding legislative action.

A telegram addressed to Senator Harry Peterson from Community Gathering, Plaza, N. D., stating: "We condemn the Senate for the action they have taken and commend the House for the stand they have taken on Governor's qualifications."

A resolution demanding laws whereby the Bank of North Dakota pay taxes on its real estate. Signed, George Timms, chairman, and other members of the Board of County Commissioners of Towner County.

A resolution signed by George Timms, chairman of the Board of County Commissioners of Towner County and other members regarding the restoration of motor vehicle license for road purposes.

Senator Brostuen moved that the above and similar communications and resolutions be referred to the proper committees, and the titles only printed in the Journal.

Which motion prevailed.

The above resolutions were referred to the Committee on Taxes and Tax Laws.

Senator Peterson requested that the Senate return to the Sixth Order of Business.

Which request was granted.

Senator Peterson moved the nomination of the following Senate employees:

Bill Room Clerk—I. J. Leer, Wellsburg.

Bill Clerk—J. C. Goll, Danzig.

Enrolling and Engrossing Clerk—Hope Snyder, Bismarck.

Stenographer—Bea Haugen, Davenport.

ROLL CALL

The question being on the election of I. J. Leer, Wellsburg, as Bill Room Clerk, 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.
Bonzer	Johnson	Nelson, Grand Fks.
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Eastgate	Lind	Topp

Messrs.	Messrs.	Messrs.
Erickson	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young
Handley	Nelson, Barnes	

Absent and not voting: -

Messrs.	Messrs.	Messrs.
Cain	Greene, Cavalier	Stucke
Crandall	Lowe	Trout
Ettestad	Matthaei	

So I. J. Leer was duly elected Bill Room Clerk.

ROLL CALL

The question being on the election of J. C. Goll, Danzig, as Bill Clerk, 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.
Bonzer	Johnson	Nelson, Grand Fks.
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Erickson	Lind	Topp
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young
Handley	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Greene, Cavalier	Stucke
Crandall	Lowe	Trout
Eastgate	Matthaei	

So J. C. Goll was duly elected Bill Clerk.

ROLL CALL

The question being on the election of Hope Snyder, of Bismarck, as Enrolling and Engrossing Clerk, 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.
Bonzer	Johnson	Nelson, Grand Fks.
Braaten	Jones	Owings

Messrs.	Messrs.	Messrs.
Brostuen	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Erickson	Lind	Topp
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young
Handley	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Greene, Cavalier	Stucke
Crandall	Low	Trout
Eastgate	Matthaei	

So Hope Snyder was duly elected Enrolling and Engrossing Clerk.

ROLL CALL

The question being on the election of Bea Haugen, Davenport, as Senate Stenographer, 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.
Bonzer	Johnson	Nelson, Grand Fks.
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Erickson	Lind	Topp
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young
Handley	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Greene, Cavalier	Stucke
Crandall	Low	Trout
Eastgate	Matthaei	

So Bea Haugen was duly elected Senate Stenographer.

The President administered the oath of office to C. A. Patterson, Philip Heiling, I. J. Leer, J. C. Goll, Hope Snyder, and Bea Haugen.

Senator Watt asked unanimous consent to return to the Fifth Order of Business.

Which request was granted.

REPORT OF SELECT COMMITTEES

Senator Watt moved that the report of the Committee on Mileage and Per Diem be printed in the Journal and not read, a motion to be made tomorrow for its adoption.

Which motion prevailed.

Mr. President: Your Committee on Mileage and Per Diem presents the following report:

District	NAME AND ADDRESSES	N. P.	G. N.	Soo	Milw.	Car	TOTAL
	1. Thomas Whelan, St. Thomas	388	270				658
	2. Wm. J. Lowe, Kenmare		49	192		241	482
	3. Arthur Trovatten, Park River	388	286			16	690
	4. George V. Coffey, Minto	388	224				612
	5. J. E. Eastgate, Larimore	388	214				10 612
	6. N. N. Nelson, Emerado	388	158				26 572
	7. Oswald Braaten, Thompson	388	132				12 532
	8. Syver Vinje, Hillsboro	388	80				468
	9. Arthur W. Fowler, Fargo	388					388
	10. Max H. Strehlow, Kindred	388				54	442
	11. Wm. Watt, Leonard	14	58	388			460
	12. Melvin P. Johnson, Wahpeton					247	247
	13. W. S. Handley, Stirum			360			16 376
	14. John Crandall, Lisbon	81	102		8	191	382
	15. John L. Miklethun, Valley City	272					272
	16. George Kolpin, Cooperstown	326					26 352
	17. L. O. Fredrickson, Pekin	388	234	16			638
	18. Ed Greene, Mona	388	366				30 784
	19. Albert Dubay, Fonda		242	396			9 647
	20. C. W. Fine, Sheyenne	346					8 354
	21. G. F. Drew, Devils Lake		236	380			616
	22. B. W. Lemke, Cando		304	380		18	702
	23. E. E. Greene, Jamestown	204					204
	24. Milton R. Young, Berlin	342					342
	25. A. S. Marshall, Forbes		26	264	26	8	324
	26. Harry C. Lynn, Linton	128					128
	27. S. S. McDonald, Bismarck						
	28. Wm. A. Thatcher, Bottineau		198	380			578
	29. G. A. Jones, Minot			380			380
	30. James T. McGillic, Mandan	10					10
	31. J. P. Cain, Dickinson	230					230
	32. Otto Topp, Grace City		36	120	204		360
	33. W. E. Matthaei, Fessenden			360			360
	34. O. E. Ettestad, Balfour			298		10	308
	35. O. E. Erickson, Tappen	114			6		120
	36. William Kroeber, Napoleon			118			118
	37. A. F. Bonzer, Jr., Lidgerwood	404					404
	38. A. C. Nelson, Fingal		34	272			306

District	NAME AND ADDRESSES	N. P.	G. N.	Soo	Milw.	Car	TOTAL
39.	Gust Wog, Belfield		270			36	306
40.	R. A. Owings, Lignite			534		18	552
41.	John K. Brostuen, Alexander	552	48			12	612
42.	F. T. Gronvold, Rugby		122	380			502
43.	Walter J. Trout, Sherwood	380	166			8	554
44.	Harry T. Peterson, Plaza			252		20	272
45.	Alex Lind, Williston		240	380		30	650
46.	E. C. Stucke, Garrison			156			156
47.	Wm. Kamrath, Leith	206				10	216
48.	E. F. Mutchler, Center		98			24	122
49.	Herman Thorson, Bucyrus	268			410		16,694

Respectfully submitted,

WM. WATT
 GUST WOG
 E. E. GREENE, of Stutsman.

The Committee on Rules made the following report:

Mr. President: Your Senate Committee on Rules wish to make the following report.

We recommend the adoption of the Rules of the Senate, in force during the 23rd Legislative Assembly, with the following changes:

In Rule 1, strike out everything after section 12, and insert in lieu thereof the following:

"13. First reading of House Bills, Joint Resolutions and Memorials.

14. Second reading of the same.

15. Consideration of general orders.

16. Announcements."

In Rule 2, line 2, strike out the words "or the hour to which the Senate was adjourned."

In Rule 16, line 49, correct line to read as follows: "On taxes and tax laws, to consist of fifteen members."

Strike out everything in Rule 33 and insert the following:

"33. Every bill, resolution or memorial requiring the approval of the Governor, or a change in the Constitution of the State of North Dakota, shall be read two separate times, but the first reading and second reading may not be upon the same day; and the first reading may be by title of the bill only, unless upon such first reading a reading at length is demanded. The second reading shall be at length. No Legislative day shall be shorter than the natural day.

In Rule 34, correct title to read "First Reading" and in line 2 correct the spelling of the word "read."

In Rule 36, line 3, strike out the word "second" and insert in lieu thereof the word "first."

In Rule 35, line 3, strike out the word "second" and insert in lieu thereof the word "first."

In Rule 37, change title to read as follows: "Second Reading."

In Rule 37, line 4, strike out the word "twice."

In Rule 37, line 6, strike out the word "third" and insert "second."

In Rule 37, line 10, strike out the word "third" and insert the word "second."

In Rule 38, in title, strike out the word "third" and insert in lieu thereof the word "second."

In Rule 38, in line 1, strike out the word "third" and insert in lieu thereof, the word "second."

Strike out all of Rule 40.

Renumber Rule 41 as Rule 40.

Renumber Rule 42 as Rule 41.

Renumber Rule 43 as Rule 42, and in lines 13 and 14 strike out the words "Provided that this rule shall not apply to bills introduced during the first ten days of the Session" and insert in lieu thereof, the following: "Provided that this rule does not apply until after the first ten days of the session."

Renumber Rule 44 as Rule 43.

Renumber Rule 45 as Rule 44, and in line 2 strike out the word "third" and insert in lieu thereof the word "second."

Renumber the balance of rules accordingly.

And when so amended, recommend that the same be adopted.

WM. A. THATCHER,
Chairman.

Senator Thatcher moved that the report of the Committee on Rules be printed in the Journal.

Which motion prevailed.

Senator Fowler offered an amendment to Rule 15 and moved that the same be printed in the Journal along with the Report of the Committee on Rules.

Which motion prevailed.

That Rule 15 be amended by striking out all of said rule and inserting in lieu thereof the following:

No person shall be admitted to the floor of the Senate except state officers; judges of the supreme, district and county courts; present and former members of congress; present and former members of the legislative assembly; present officers and employees of both houses of the legislative assembly; members of the constitutional convention; reporters for newspapers; federal officials for the state; and any other persons granted admission by majority vote of the Senate. The floor of the Senate is hereby defined as the floor of the Senate together with the corridor in the Senate Chamber immediately adjacent to said Senate floor.

Senator Brostuen moved that the Senate do now adjourn.

Which motion prevailed.

SEVENTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 14, 1935.

The Senate convened pursuant to adjournment, President Welford presiding.

Prayer by Chaplain Rev. E. L. Jackson.

All Senators present except Senators Crandall, Stucke and Trout.

The President announced that a quorum was present.

Senator Marshall moved that all absent Senators be excused.

Which motion prevailed.

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

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

Page 2, line 8, strike out "for."

Page 10, line 16, strike out "the" and insert "this."

Page 10, line 38, strike out "dutis" and insert "duties."

Page 11, line 27, strike out "th" and insert "the."

Page 12, line 30, strike out "fulffill" and insert "fulfill."

Page 16, line 16, strike out "devlopment" and insert "development."

Page 16, line 27, strike out "relied" and insert "relief."

Page 16, line 35, strike out "for."

Page 16, line 40, strike out "Edwin" and insert "Erwin."

Page 15, line 27, after "Ed Greene" insert "(of Cavalier.)"

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
January 14, 1935.

Mr. Speaker: I have the honor to transmit herewith Senate Concurrent Resolutions "A" and "B," which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,
F. E. TUNELL,
Secretary.

PETITIONS AND COMMUNICATIONS

Senator Thatcher moved that the titles only of communications and resolutions be printed in the Journal and the resolutions referred to the proper committees.

A resolution from the Benson County School Officers Association relating to school officers meetings, reserve funds and election of county superintendent of schools.

Referred to the Committee on State Affairs.

A resolution asking restoration to counties of motor vehicle license fees for road purposes, signed by August Krantz, chairman, and four other members of the Board of County Commissioners of Ward County.

A like resolution signed by G. A. Gilbertson, Auditor, Benson County.

Referred to the Committee on State Affairs.

A communication lauding the work of retiring Acting Governor Ole H. Olson as printed in the Grand Forks Herald.

Senator Eastgate moved that the report be read at the desk and printed in the Journal.

Which motion prevailed.

Senator Erickson moved that the motion of the Senator from Grand Forks be reconsidered.

Senator Bonzer requested a roll call.

ROLL CALL

The question being on the motion of Senator Erickson to reconsider the motion of Senator Eastgate, 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.
Bonzer	Greene, Cavalier	Owings
Braaten	Handley	Peterson
Brostuen	Kamrath	Strehlow
Dubay	Kroeber	Thatcher
Erickson	Lemke	Thorson
Ettestad	Lynn	Vinje
Fine	Marshall	Whelan
Fowler	McDonald	Wog
Fredrickson	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Jones	Nelson, Barnes
Coffey	Kolpin	Nelson, Grand Fks.
Drew	Lind	Topp
Eastgate	Lowe	Trovatten
Greene, Stutsman	Matthaei	Watt
Gronvold	McGillie	Young
Johnson	Miklethun	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Stucke	Trout

Which motion prevailed.

Senator Dubay: I vote "aye" because there were two motions made in one.

Senator Fowler: I vote "aye" notwithstanding the fact that I have the utmost respect and high regard for the service which Ole H. Olson has rendered to this State while acting as Governor and warm personal regards for Governor Olson while he presided in this Senate, but I do not believe that a communication of this character has a proper place in this Journal. Last session at the convening of the Senate I brought up the question personally of the character of messages and resolutions which should be printed in the Journal. I took the same position which I took at the beginning of this session, namely, that matters of this character should not be printed, and, again giving my highest respects to Governor Olson for the service rendered, I vote "aye."

Senator Bonzer: I am voting "aye" for the simple reason that I want harmony in this Senate. The Nonpartisan League is a majority in this Senate and the only way we are going to hold this organization is to battle as a unit and not bring into the organization little petty things sponsored by the IVA's, and therefore I am voting "aye."

Senator Fine: I will vote "aye." I think the point was well brought out by someone that the motion was made to have the communication printed in the Journal before we knew what it was for. It is only fair that we should know what we are voting on and for that reason I am voting for reconsideration.

Senator Erickson moved that the title of the communication be printed in the Journal and that all similar communications and resolutions be treated likewise in the future.

Which motion prevailed.

Your joint committee appointed to confer with a like committee from the House beg leave to report as follows:

We recommend the printing of 4,000 copies of the Journal of each day's proceedings of each House and that there be assigned to the presiding officer of the House and Senate, also to each member of the respective Houses, ten copies of this Journal; and that in addition thereto there be placed on the mailing list all state institutions, public libraries, State Historical Society, high schools, consolidated rural schools, all county judges, county auditors, the auditor of each incorporated city, the president of the village council of each incorporated village; and any newspapers published in the state, and by request any farmers' club, commercial club, or women's 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.

That 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.

OLE ETTESTAD,
Chairman.

Senator Ettestad moved that the report be adopted.

Which motion prevailed.

Senator Watt moved that the report of the Joint Committee be amended to include Secretaries of Taxpayers Associations and Labor Clubs in the State.

Which motion prevailed.

Senator McDonald moved that the vote by which Hope Snyder was elected Engrossing and Enrolling Clerk be reconsidered.

A roll call was demanded.

ROLL CALL

The question being on the motion of Senator McDonald that the vote by which Hope Snyder was elected as Engrossing and Enrolling Clerk be reconsidered, 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.
Bonzer	Handley	McDonald
Braaten	Johnson	McGillic
Dubay	Jones	Mutchler
Erickson	Kolpin	Owings
Ettestad	Kroeber	Thatcher
Fine	Lemke	Thorson
Greene, Cavalier	Lind	Vinje
Greene, Stutsman		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Kamrath	Peterson
Cain	Lowe	Strehlow
Coffey	Lynn	Topp
Drew	Marshall	Trovatten
Eastgate	Matthaei	Watt
Fowler	Miklethun	Whelan
Fredrickson	Nelson, Barnes	Wog
Gronvold	Nelson, Grand Fks.	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Stucke	Trout

So the motion was lost.

Senator McDonald moved that the Board of Administration be authorized to purchase chairs for the committee rooms similar to the steel chairs shown here last week at a cost not to exceed \$2.45 per chair, delivered.

ROLL CALL

The question being on the motion of Senator McDonald to

authorize the Board of Administration to purchase chairs for committee rooms, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trovatten
Ettestad	Lynn	Vinje
Fine	Marshall	Watt
Fowler	Matthaei	Whelan
Fredrickson	McDonald	Wog
Greene, Cavalier	McGillic	Young
Greene, Stutsman	Miklethun	
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Stucke	Trout

So the motion prevailed.

Senator Erickson moved that the Press be granted the use of the two back seats which are now unoccupied.

Which motion prevailed.

Senator Fowler moved that the reading of Bills be deferred until after the Rules have been formally adopted.

Which motion prevailed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Jack A. Patterson, Minot; Mrs. Nellie Erickson, Minot; K. L. Nelson, Minot; Lawrence Erickson, Minot; E. H. Stenvick, Minot; George Knopfler, Minot.

Senator Owings moved that the Senate recess until 1:00 P. M. tomorrow.

Which motion prevailed.

The Senate stood recessed.

F. E. TUNELL,
Secretary.

SEVENTH DAY AFTER RECESS AND THE EIGHTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 15, 1935.

The Senate convened pursuant to recess, President Wellford presiding.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A telegram signed by the Associated Contractors of North Dakota, opposing the political bickering of the legislature.

Also:

A resolution signed by Jacob J. Brosy, chairman of the Board of County Commissioners of McIntosh County, and four other members regarding the taxation of lands owned by the Bank of North Dakota.

Referred to Committee on Taxes and Tax Laws.

Senator Thatcher moved that the Report of the Rules Committee be amended as follows:

Amend Section 42 by adding the following:

Any additions to the original act shall be printed in italics and the parts stricken out shall be placed in brackets provided this shall not apply to the engrossed bill.

Which motion prevailed.

Senator Thatcher moved that the rules for this Session be adopted as amended.

Senator Fowler moved that the vote by which the report of the Rules Committee was amended be reconsidered.

Which motion prevailed.

Senator Thatcher moved that the Senate recess for ten minutes.

Which motion prevailed.

Senator Thatcher withdrew his motion to adopt the rules as amended and offered as a substitute motion that the rules be adopted as amended by the Rules Committee in their original report.

Which motion prevailed.

Senator Fowler moved that the amendment to Senate Rule 15 as printed in the Journal be adopted.

Which motion prevailed.

Senator Fowler moved that under Rule 15 as adopted, and until further order of the Senate, the general public be permitted to occupy the corridor of the Senate.

Which motion prevailed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Rae Kneeshaw, Minot; Chas. A. Truax, Minot; Julius Rue, Burlington; E. H. Mattingly, Jamestown; C. C. Talbott, Jamestown; Andrew Ostrem, H. B. Nelson, Louis Nelson, P. P. Lystne, Judge and Mrs. G. Grimson, all of Rugby.

Senator Eastgate moved that the Senate do now adjourn.

Which motion prevailed.

EIGHTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 15, 1935.

The Senate convened pursuant to adjournment, President Welford presiding.

Prayer by Chaplain Rev. E. L. Jackson.

The roll was called and all Senators were present except Senators Stucke and Trout.

The President announced that a quorum was 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 fourth day after recess and the seventh day, and recommend that the same be corrected as follows:

Page 1, line 15, after Whelan insert "Nelson of Grand Forks."

Page 2, line 28, strike out "employees" and insert "employees."

Page 6, line 5, strike out "Brosteun" and insert "Brostuen."

Page 7, line 15, strike out "ou" and insert "out."

Page 9, line 36, strike out "working" and insert "work."

Page 12, line 43, strike out "of" and insert after the word cost, "not to exceed."

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A resolution presented by Senator Brostuen, signed by Halvor Ambrosen, chairman, and four other members of the Board of County Commissioners of McKenzie County, asking for restoration of all motor vehicle license fees for road purposes.

A like resolution presented by Senator Wog, and signed by H. H. Paasch, chairman, and two other members of the Board of County Commissioners of Billings County.

A resolution condemning any Sales Tax, opposing a Partial Replacement Tax, or Gross Income Tax, providing for exemption of household goods from Personal Property Tax.

A resolution presented by Senator Wog, signed by H. H. Paasch, chairman, and two other members of the Board of County Commissioners of Billings County, requesting the taxation of state owned lands.

A resolution presented by Senator Brostuen, signed by Harmon E. Dickey, president, Lower Yellowstone Irrigation District No. 2, asking for a bridge across the Yellowstone River west of Cartright.

The above petitions were referred to the Committee on Taxes and Tax Laws.

A resolution presented by Senator Wog, moved by Lewis Odland and signed by two other members of the Board of County Commissioners of Golden Valley County, asking that highway employees be subject to civil service examinations.

Referred to Committee on Highways.

A resolution asking that cooperative ideas, ideals and methods be made a part of the Course of Study in all our Schools and State Colleges.

A resolution from the same source, asking for a Net Income Tax Law. Also, that the National Study Topic of the Farmers Educational and Cooperative Union of America be recommended for study in our High Schools as a supplement in Social Science Courses.

Referred to Committee on Education.

A resolution presented by the Ransom County Legislative Committee, signed by Fred A. Musel, chairman, asking for a law changing the date of election of school board officers to a date not later than ten days after closing of the school year.

Referred to Committee on Education.

Also, a resolution asking the reinstatement of the Dog Tax, the tax to be used for paying damages done by dogs.

Referred to Committee on Livestock.

Senator Peterson moved the nomination of R. T. Wood, of Tuttle, N. D., as Proofreader.

ROLL CALL

The question being on the election of R. T. Wood as Proofreader, 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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trovatten
Ettestad	Lynn	Vinje
Fine	Marshall	Watt
Fowler	Matthaei	Whelan
Fredrickson	McDonald	Wog
Greene, Cavalier	McGillic	Young
Greene, Stutsman	Miklethun	

Absent and not voting:

Messrs.	Messrs.
Stucke	Trout

So R. T. Wood was duly elected Proofreader.

Senator McDonald moved that all absent Senators be excused.

Which motion prevailed.

SENATE MEMORIAL RESOLUTION "A"

Introduced by Senator Braaten

WHEREAS, It has been the will of an all-wise Providence to remove from our midst our good friend, able legislator and honored citizen, DANA J. TINNES, for many years a resident of North Dakota, and

WHEREAS, He served as a member of this Legislative Assembly, from Grand Forks County, representing the Seventh Legislative District, during the Twenty-third Legislative Session, and during such time by his devotion to duty, deep interest in his work and kind disposition won the regard and respect of all members of this Assembly; and

WHEREAS, The members of this legislative body are deeply appreciative of the service he rendered, of his contribution to the welfare and upbuilding of the community in which he lived, and his unselfish endeavor in the discharge of his duties in this legislative assembly, to which he gave an ever-abiding faith, loyalty and love; now therefore,

BE IT RESOLVED, That we offer his family and friends our most profound and heartfelt sympathy; and

BE IT FURTHER RESOLVED, That a copy of this resolution be printed in the Journal, and that the Secretary of the Senate be, and he is hereby directed to forward to the family of the deceased member a properly enrolled copy of this resolution.

OSWALD BRAATEN
L. O. FREDRICKSON
A. S. MARSHALL.

Senator Braaten moved that Resolution "A" be adopted.

Which Resolution "A" was adopted by a rising vote.

SENATE MEMORIAL RESOLUTION "B"

Introduced by Senator Braaten

WHEREAS, It has been the will of an all-wise Providence to remove from our midst our good friend, able legislator and honored citizen, W. S. Whitman, for many years a resident of this state; and

WHEREAS, He has for three and one-half terms served as a member of this Legislative body from Grand Forks County, and during all such time, by his wise forethought and genial disposition won the kindest regard and respect of all members of this Assembly; and

WHEREAS, The members of this legislative body are deeply appreciative of his years of service, and his contribution to the welfare and upbuilding of the community in which he lived, and his unselfish service to the state in the discharge of his duties in this legislative assembly, to which he gave an ever-abiding faith, loyalty and love; now, therefore,

BE IT RESOLVED, That we offer his family and friends our most profound and heartfelt sympathy; and

BE IT FURTHER RESOLVED, That a copy of this resolution be printed in the Journal, and that the Secretary of

the Senate, be, and he is hereby directed to forward to the family of the deceased member, a properly enrolled copy of this resolution.

OSWALD BRAATEN
L. O. FREDRICKSON
A. S. MARSHALL.

Senator Braaten moved that Resolution "B" be adopted.

Which Resolution "B" was adopted by a rising vote.

CONCURRENT RESOLUTION "C"

Introduced by Senators Fowler, Whelan, Trovatten and Bonzer

WHEREAS, The Secretary of Agriculture under the authorization contained in the Hayden-Cartwright Act of June 18, 1934, has apportioned Federal Aid to the several states for use in highway construction in the fiscal year beginning July 1, 1935, which funds are apportioned upon the old policy of matching by the states, and

WHEREAS, The financial situation of North Dakota is such that it will not be able to match such federal aid and take advantage of such apportionment; and

WHEREAS, It is unfair and unjust that our state should be penalized by reason of its existing financial condition for which it is in nowise to blame and cannot remedy at this time,

NOW THEREFORE, Be it Resolved by the Senate of the State of North Dakota, the House of Representatives concurring, that action should be taken by allotment of federal monies, if possible, or by legislation by Congress, if necessary, to make available to North Dakota and to other states which may be similarly situated, federal funds which may be used to match such funds as have been apportioned as herein set forth.

BE IT FURTHER RESOLVED, That copies hereof shall be sent by the Secretary of the Senate to each of our Congressional delegation and to the Governors of Kansas, Nebraska, Iowa, Minnesota, South Dakota and Montana.

Senator Fowler moved that Concurrent Resolution "C" be adopted.

ROLL CALL

The question being on the adoption of Concurrent Resolution "C," 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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.

Messrs.	Messrs.	Messrs.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young

Absent and not voting:

Messrs.	Messrs.
Fredrickson	Stucke
Lemke	Trout

So the resolution was adopted.

FIRST READING OF SENATE BILLS

Committee on Appropriations introduced:

Senate Bill No. 1. 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 time and referred to the Committee on Appropriations.

Committee on Appropriations introduced:

Senate Bill No. 2. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerk-hire, Travel and General Expenses of the Office of the Governor.

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

Committee on Appropriations introduced:

Senate Bill No. 3. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Salary and, also, the Expenses of District Judges While Serving Outside of Their District and on the Supreme Bench.

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

Committee on Appropriations introduced:

Senate Bill No. 4. A Bill for an Act Making an Appropriation to Defray Expenses of the Delegates to National

Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

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

Committee on Appropriations introduced:

Senate Bill No. 5. 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 Amendments There-to, and to Meet Other Requirements Prescribed by the Federal Statutes.

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

Committee on Appropriations introduced:

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

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

Committee on Appropriations introduced:

Senate Bill No. 7. 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 time and referred to the Committee on Appropriations.

Committee on Appropriations introduced:

Senate Bill No. 8. 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 of 1913.

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

Committee on Appropriations introduced:

Senate Bill No. 9. 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, the Same Being Section 11302 of the Supplement to the Compiled Laws of North Dakota.

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

Committee on Appropriations introduced:

Senate Bill No. 10. A Bill for an Act Making an Appropriation to Pay Expenses of Erecting Headstones Over the Graves of Soldiers, Sailors, and Marines of the United States War of the Rebellion.

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

Senator Cain introduced:

Senate Bill No. 11. A Bill for an Act to Prohibit the Governor, the Executive Head, the Manager or any Member or Members of any State Board, Bureau, Commission, Industry, Department or Institution, or any Person Employed Either Directly or Indirectly by the State, from Appointing a Member of the Legislative Assembly to any Civil Office or Other Employment of Whatsoever Nature During the Term for Which Such Legislative Member Shall Have Been Elected, and Prohibiting a Member of the Legislative Assembly from Accepting Such Appointment, Providing Penalty Therefor and Declaring an Emergency.

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

Senator Whelan introduced:

Senate Bill No. 12. A Bill for an Act to Prohibit Marathon Dances, Walkathons, Skatathons, or any Endurance Contest and Providing Penalties for any Person, Firm, or Corporation Participating in, Attending or Promoting Such Contest.

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

Committee on Appropriations introduced:

Senate Bill No. 13. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota, and its Branch Stations.

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

Committee on Appropriations introduced:

Senate Bill No. 14. 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 time and referred to the Committee on Appropriations.

Committee on Appropriations introduced:

Senate Bill No. 15. 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.

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

Committee on Appropriations introduced:

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

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

Committee on Appropriations introduced:

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance and a New Building for the State Hospital for the Insane at Jamestown, North Dakota.

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

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 for the Tuberculosis Sanatorium at San Haven, North Dakota.

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

Committee on Appropriations introduced:

Senate Bill No. 19. 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 time and referred to Committee on Appropriations.

Committee on Appropriations introduced:

Senate Bill No. 20. 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 time and referred to Committee on Appropriations.

Committee on Appropriations introduced:

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment of the School for the Deaf at Devils Lake, North Dakota.

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

Committee on Appropriations introduced:

Senate Bill No. 22. A Bill for an Act Making an Appropriation to pay for the General Maintenance, Improvements and Repairs, Lignite Testing, Clay Testing, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

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

Senators Cain and Young introduced:

Senate Bill No. 23. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession during the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act.

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

Senators Miklethun, Fine and Peterson introduced:

Senate Bill No. 24. A Bill for an Act to Amend and Re-enact Section 6077 of the Compiled Laws of the State of North Dakota for 1913, as amended by Chapter 139, Session Laws of 1933, Limiting the Rate of Interest on Judgments.

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

Senators Miklethun, Eastgate, Drew and Peterson introduced:

Senate Bill No. 25. A Bill for an Act to Amend and Re-enact Chapter 178 of the Laws of North Dakota for 1933, and to Authorize and Empower Municipalities as Defined in Chapter 196 of the Laws of North Dakota for 1927, to Issue Bonds for the Purpose of Funding Outstanding Indebtedness Thereof Incurred Prior to January 1, 1935, in Certain Cases.

Was read the first time and referred to the Committee on Cities and Other Municipalities.

Senator Miklethun introduced:

Senate Bill No. 26. A Bill for an Act to Provide for the

Scaling Down and Discounting of Past Due Interest on Loans
Made by the Board of University and School Lands.

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

Senator Fine moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

NINTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 16, 1935.

The Senate convened pursuant to adjournment, President Welford presiding.

Prayer by Chaplain, Rev. F. E. Logee.

Roll Call: All Senators present except: Senators Strehlow and Trout.

Senator Watt moved that all absent Senators be excused.

Which motion prevailed.

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

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

Page 1, line 19, strike out "Tax and Tax Laws" and insert "Taxes and Tax Laws."

Page 3, line 32, strike out "Tax" and insert "Taxes."

Page 6, line 20, strike out the second "to."

Page 12, line 5, strike out "Tax and Tax Laws" and insert "Taxes and Tax Laws."

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A resolution presented by Senator Trout, signed by T. P. Parke and two other members of the Board of County Commissioners of Renville County, asking for the restoration of motor vehicle license fees for road purposes to the Counties and State Highway Commission.

A like resolution, presented by Senator Crandall, signed by J. P. Grange, chairman, and four other members of the Board of County Commissioners of Ransom County.

Referred to the Committee on Highways.

A resolution, presented by Senator Greene of Stutsman County, signed by Wm. Krekow, chairman, and four other members of the Board of County Commissioners of Stutsman County, requesting the taxation of state lands.

Referred to Committee on Taxes and Tax Laws.

Senator Peterson moved the nomination of Josephine Efteland, Valley City, as Senate Stenographer, and Edna Walsh, Bismarck, as assistant enrolling and engrossing clerk; also, at the request of Senator Brostuen, chairman of the Taxes and Tax Laws Committee, and Senator Cain, chairman of the Judiciary Committee, Kathryn A. Pagenkopf of Dickinson was nominated as reporter for the above committees and as general stenographer.

Which motion prevailed.

ROLL CALL

The question being on the election of Josephine Efteland, Valley City, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Stucke
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.
Cain	Strehlow

So Josephine Efteland was duly elected.

ROLL CALL

The question being on the election of Edna Walsh, Bismarck, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Stucke
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.
Cain	Strehlow

So Edna Walsh was duly elected.

ROLL CALL

The question being on the election of Kathryn A. Pagenkopf, Dickinson, as reporter for the Committee on Taxes and Tax Laws and Judiciary and also as general 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Stucke
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan

Messrs.	Messrs.	Messrs.
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.
Cain	Strehlow

So Kathryn A. Pagenkopf was duly elected.

President Welford administered the oath of office to R. T. Wood and Edna Walsh.

FIRST READING OF SENATE BILLS

Senators Miklethun, Fine and Peterson introduced:

Senate Bill No. 27. A Bill for an Act to Amend Section 6072 of the Supplement to the 1913 Compiled Laws of the State of North Dakota Prescribing the Legal Rate of Interest for any Legal Indebtedness.

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

Senators Miklethun, Fine and Peterson introduced:

Senate Bill No. 28. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of the State of North Dakota, as Amended by Chapter 274, Session Laws of 1927 and as amended by Chapter 140 of the Session Laws of 1913, Defining Usury.

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

Senator Bonzer introduced:

Senate Bill No. 29. A Bill for an Act Providing for the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees; and to Repeal All Acts or Parts of Acts in Conflict Herewith, Including Sections 910-916, Inclusive, Compiled Laws 1913 and Chapter 137 of the Session Laws of the Year 1927 and Chapter 123 of the Session Laws of the Year 1929.

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

SENATE RESOLUTION "A"

Introduced by Senators McDonald and Erickson

Resolution to Appoint the Official Photographer for the Senate of the Twenty-fourth Legislative Assembly of the State of North Dakota.

WHEREAS, For historical purposes it has been the custom of all North Dakota Legislative Assemblies to have composite group pictures made of all members of such assemblies, and

WHEREAS, The Rembrandt Studio of Bismarck offers to make a group picture of the North Dakota Senate of the 24th legislative assembly and hang such picture, framed, in the Senate Chambers at a cost of One Dollar for each individual in the group.

NOW THEREFORE, BE IT RESOLVED: That the Rembrandt Studio of Bismarck, North Dakota, be, and is hereby appointed Official Photographer for the North Dakota Senate of the Twenty-fourth Legislative Assembly.

BE IT FURTHER RESOLVED: That The Rembrandt Studio of Bismarck, be and is hereby awarded the sole privilege of photographing members of the Senate of the 24th legislative assembly on the floor of the Senate Chambers.

11x14 copies of the large group will be furnished at a price of \$1.00 per copy.

Referred to Committee on State Affairs.

SENATE RESOLUTION "B"

Introduced by Senator S. S. McDonald

Requiring All Members of the Senate of the State of North Dakota Who are at Present on Retainers by Public Service Corporations Doing Business in the State of North Dakota, to File with the Secretary of the Senate a List of the Corporations They Are Thus Serving.

Be It Resolved, by the Senate of the State of North Dakota, That:

WHEREAS, Section 43 of the Constitution of the State of North Dakota reads as follows:

"Section 43. Any person who has a personal or private interest in any bill proposed or pending before the legislative assembly, shall disclose the fact to the house of which he is a member, and shall not vote thereon without the consent of the house," and

WHEREAS, Recent investigations disclose that certain members of previous legislative assemblies were, during their term of office as such members, on regular monthly or annual retainers by public service corporations doing business in the state, and

WHEREAS, We consider it contrary to the Constitution and against the public policy of the State of North Dakota, to permit such members to vote upon legislation which will materially affect such public service corporations without making their interest known to the other members of the house in which they serve;

NOW THEREFORE, BE IT RESOLVED: By the Senate of the Twenty-fourth Legislative Assembly of the State of

North Dakota, that all members of the Senate be, and they are hereby required to forthwith file with the Secretary of the Senate a complete list of the public service corporations to which they are now under obligation through retainer of any kind.

Referred to Committee on State Affairs.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

P. A. Tangen, Pekin; Sam Eck and Elwood Eck, Bucyrus; A. L. Newton and Oscar J. Nygaard, Jamestown; Nels J. Peterson, Watford City; Hon. Harrison Garnett, St. Thomas; Ed Blyel and Alfred Manstrum, Wyndmere; Rev. Herman Mandry, Garrison; Rev. Wilford Fisher, Douglas; Hon. C. J. Hanson, Litchville; Hon. Carl Opdahl, Hon. Wm. Jones, Lars Seglem and George Piehl, Marion; Leo Wegner, Sanborn; F. E. Sundstrom, Valley City; George P. Wolf, Wahpeton; R. E. Strutz, Jamestown; Judge Buttz, Devils Lake; J. E. Husel, Coopertstown; T. E. Ramseland, Almont; Oscar Vingie, Bottineau; Frank Haynes, Larimore; J. D. Morrison, Drayton; H. E. Trulson, Ed. Neuman, Harry Bergstrom, Plaza; Henry Luchsinger and Dan Bartleson, Parshall.

Senator Fine moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

TENTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 17, 1935.

The Senate convened pursuant to adjournment, President Welford presiding.

Prayer by Chaplain, Rev. F. E. Logee.

The roll was called and all Senators were present except Senators Bonzer, Brostuen, Eastgate, Erickson and Marshall.

Senator Kamrath moved that all absent Senators be excused.

Which motion prevailed.

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

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

Page 5, line 45, strike out "effect" and insert "affect."

Page 6, line 16, strike out "Leglem" and insert "Seglem."

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A resolution presented by Senator Kroeber, signed by Oscar France, President Logan County School Officers' Association,

asking per diem and mileage for school officials attending county meetings.

Referred to Committee on Education.

A resolution presented by Senator Peterson, signed by H. Z. Crosby, chairman, and two other members of the Board of County Commissioners of Mountrail County, requesting taxation of State owned lands.

Referred to Committee on Taxes and Tax Laws.

Another resolution from the same source requesting the restoration of all motor vehicle license fees for road purposes.

Referred to Committee on Highways.

A resolution presented by Senator Peterson, signed by Mrs. Christ Linnertz, secretary of the North Dakota Farmers Holiday Association, asking for legislation permitting compromise and settlement in behalf of farm mortgagors having obligations to the State Board of University and School Lands.

Referred to Committee on Public Lands.

A resolution presented by Senator Miklethun, signed by M. Mortensen, chairman, and three other members of the Board of County Commissioners of Barnes County, asking for the restoration of motor vehicle license fees for road purposes.

Referred to Committee on Highways.

A resolution presented by Senator Nelson of Grand Forks, signed by the North Dakota Educational Association and others, requesting legislation regarding school treasurers' reports, and transportation in consolidated school districts.

Referred to Committee on Education.

The President administered the oath of office to Kathryn A. Pagenkopf and Josephine Efteland.

FIRST READING OF SENATE BILLS

Senator Coffey introduced:

Senate Bill No. 30. A Bill for an Act to Prevent Persons Other Than Duly Licensed Practicing Attorneys and Counsellors at Law from Charging Fees for Making Conveyances, in Writing, of Real or Chattel Property, or for the Making of Wills or Other Instruments by Which Property or Other Rights Are Transferred or Conveyed, and Providing a Penalty for Violation Thereof.

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

Senator Coffey introduced:

Senate Bill No. 31. A Bill for an Act to Amend and Re-enact Section 9163 of the Compiled Laws of North Dakota, for the Year 1913, Being Section 1 of Chapter 6, Relating to Appeals to the District Court.

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

Senator Coffey introduced:

Senate Bill No. 32. A Bill for an Act Entitled an Act Prescribing the Oath or Affirmation to Be Taken and Subscribed by All Employees of the State of North Dakota, or any Municipal Subdivision Thereof.

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

Senator Coffey introduced:

Senate Bill No. 33. A Bill for an Act Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply with This Law.

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

Senator Coffey introduced:

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Section 7298 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Holidays Enumerated in Chapter 165 of the Session Laws of North Dakota, for the Year 1927, and Amending Section 7297, of the Compiled Laws of North Dakota, for the Year 1913.

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

Senator Thorson introduced:

Senate Bill No. 35. A Bill for an Act to Amend and Re-enact Section 2868a1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Levy of Tax by the County Commissioners Upon Being Petitioned for the Purpose of Creating a Fund for the Extermination of Grasshoppers and for Disposition of Any Unexpended Balance Remaining in Such Fund.

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

The President announced that the Senate was on the Sixth Order of Business.

Your Committee on Committee Rooms begs leave to make the following report:

Committee	No. of Members	Room Assigned	Room No.
State Affairs	17	1 Large Room Ground Floor	Adj. Men's Locker Room
Appropriations	17	1 Large Room	207
Apportionment	23		
Judiciary	17		
Banks and Banking	15		
Railroads	13	One Room	204
Counties	11		
Ways and Means	9		
Taxes and Tax Laws	15		
Highways	11		
Livestock	11	One Room	203
Insurance	11		
Agriculture	11		
Elections	9		
Corporations other than Municipal	9		
Federal Relations	7	One Room	206
Immigration	9		
Irrigation and Drainage ..	9		
Military Affairs	9		
Education	11		
Game and Fish	9		
Public Health	9		
Public Printing	9	One Room	205
Public Safety	9		
Warehouse and Grain Grading	11		
Enrolling and Engross- ing Bills	5	One Room	101
Revision and Correction of Journal	3		
Delayed Bills	5		
Statistics	7		
Mileage and Per Diem..	5		
Mines and Minerals	9		
Public Lands	9		
Rules	7	One Room	102
Temperance	11		
Women's and Children's Welfare	11		

Mailing Room—Ground Floor, No. G-4.

Secretary's Room—1 Double Room adjoining Senate Chamber to West.

Stenographers—3 Rooms East side of Conference Room.

Lt.-Governor—1 Room adjoining Senate Chamber to West.

Conference Room—1 Room to rear of Senate Chamber.

Bill Room—1 Room adjoining Chamber to East.

Press Room—1 Room to rear of Senate Chamber.

Post Office—1 Room adjoining House Chamber.

O. E. ERICKSON,
Chairman.

Senator Erickson moved the adoption of the report.

Which motion prevailed.

Senator Jones moved that the committee room assignments be printed for the convenience of the Senators.

Which motion prevailed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

T. M. Svingen and A. M. Svingen, Cooperstown; Peter Botten, Sheyenne; L. B. Hampton, Manning; Percy Clark, Mohall; D. C. McDonald and John Nuss, Grand Forks; Guy Troyer, O. O. Troyer, Seldon Crocket, Gus Marcus, all of Rugby; Otto Strege, Lidgerwood; John Strand and Judge A. W. Ponath, Wahpeton; L. E. Bernston, Parshall; O. A. Bygland and K. L. Nappen, Lankin; Anton Skedsvold, Alexander; Halvor Ambrosen, Keene; Erma H. Dahl, Watford City, and John S. Ceglowski, Minot.

Senator Marshall moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

ELEVENTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 18, 1935.

The Senate convened pursuant to adjournment, President Welford presiding.

Prayer by Chaplain, Rev. F. E. Logee.

Roll Call: All Senators present except Senator Stucke.

The President announced that a quorum was 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 Tenth Day and recommend that the same be corrected as follows:

Page 2, line 4, after the word signed insert "by."

Page 5, line 8, after the word room insert "adjoining."

Page 5, line 9, strike out "2" and insert "1."

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A resolution, presented by Senator Jones from the Townsend Club of Minot, urging consideration of the Townsend Pension Plan.

A similar resolution was presented by Senator Thatcher, signed by W. F. Kurth, president of the Gardena Townsend Club, asking favorable consideration of the Townsend Plan.

Referred to Committee on State Affairs.

A resolution presented by Senator McDonald, signed by William Fricke, chairman, and four other members of the Board of County Commissioners of Burleigh County, requesting the taxation of state-owned lands.

Referred to the Committee on Public Lands.

A petition presented by Senator Marshall, signed by Mrs. Alice F. Barta and six other members of the Christian Science organization of Ellendale, N. D., asking exemption from the provisions of any medical legislation passed at this session.

Referred to the Committee on State Affairs.

Mr. President: Your Committee on Mileage and Per Diem presents the following report:

We recommend the adoption of the Mileage and Per Diem report, as printed in the Journal, with the following changes:

Correct Line 14, Page 5, of Senate Journal of January 14, to read as follows:

	Soo	Total
"2. Wm. J. Lowe, Kenmare	482	482"

In Dist. 11, strike out the figures "14" and insert in lieu thereof the figures "446". In same line strike out the figures "58" and the figures "338". In same line under the heading "Car" insert the figures "14".

In Dist. 12, strike out the figures "247" and insert in lieu thereof the figures "494", and in same line strike out the figures "247" and insert in lieu thereof the figures "494".

In Dist. 14, strike out the figures "81" and insert in lieu thereof the figures "366". In same line strike out the figures "102" and the figure "8". In same line strike out the figures "191" and insert in lieu thereof the figures "16".

In Dist. 17, strike out the figures "16". In same line under the heading "Car" insert the figures "16".

In Dist. 21, under heading "N. P." insert the figures "420". In same line strike out the figures "236" and insert in lieu thereof the figures "62." In same line strike out the figures "380". In same line strike out the figures "616" and insert in lieu thereof the figures "482".

In Dist. 32, under heading "N. P." insert the figures "324". In same line strike out the figures "120" and the figures "204".

In Dist. 35, strike out the figure "6", and in same line under the heading "Car" insert the figure "6."

In Dist. 37, strike out the figures "404". In same line under the heading "Soo" insert the figures "404".

In Dist. 38, under heading "N. P." insert the figures "272". In same line strike out the figures "34" and the figures "272". In same line under heading "Car" insert the figures "26". In same line strike out the figures "306" and insert in lieu thereof the figures "298".

Correct Dist. 39, Page 6, of Senate Journal of January 14, to read as follows:

	N. P.	Car	Total
"39. Gust Wog, Belfield	270	36	306"

In line 7, strike out the figures "380". In same line under the heading "Soo" insert the figures "380".

Respectfully submitted,

WM. WATT, Chairman,
GUST WOG,
E. E. GREENE of Stutsman.

Senator Watt moved that the report be adopted.

Which motion prevailed.

ROLL CALL

The question being on the adoption of the report of the Committee on Mileage and Per Diem, the roll was called and there were ayes, 49; absent and not voting, 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman	Mutchler	
Gronvold	Nelson, Barnes	

So the report was adopted.

Senator Owings moved that all absent Senators be excused.

Which motion prevailed.

CONCURRENT RESOLUTION "D"

Introduced by Senator O. E. Erickson

Memorializing the Congress of the United States to act favorably and with as much speed as possible, upon House Joint Resolution Number 66, providing for a Constitutional amendment doing away with the issuance of tax exempt bonds.

WHEREAS: There is now pending in the Congress of the United States of America House Joint Resolution Number 66, which provides for a Constitutional Amendment doing away with the tax exempt feature of further issues of Federal, State, and Municipal bonds, and

WHEREAS: It is represented that the outstanding issues of tax exempt securities in the United States aggregate the sum of \$50,000,000,000, and it is impossible for this government to continue unless the loss of such revenue be eliminated.

NOW THEREFORE, BE IT RESOLVED by the 24th Legislative Assembly of the State of North Dakota, assembled in its regular biennial session, that the citizens of North Dakota, through its legislative members call upon and urge all members of the Congress of the United States, and particularly the members representing the State of North Dakota, to use every honest and honorable means within their power to pass said resolution as speedily as possible, in order to prevent the issuance of tax exempt securities in the future.

BE IT FURTHER RESOLVED, that we urge upon the members of said Congress to take the necessary steps to retire, as speedily as possible, all outstanding tax exempt bonds and replace them with United States Bonds which shall be subject to the use and customary taxation.

Referred to Committee on Taxes and Tax Laws.

FIRST READING OF SENATE BILLS

Senator O. E. Erickson introduced:

Senate Bill No. 36. A Bill For an Act to Amend and Re-enact Sections 1 and 2 of Chapter 205 of the Session Laws of 1931, State of North Dakota, as Amended by Chap. 185, Session Laws of 1933, and Repealing Parts of Said Sections, Providing for the Construction of a Capitol Building for the State of North Dakota and for That Purpose Creating a Board of Capitol Commissioners, Defining Their Powers and Duties, Making Appropriations for That Purpose, Providing and Appropriating Tax Levies and the Proceeds of Sale of Capitol Lands Thereof, and Authorizing the Issuance of Interest Bearing Certificates Against the Capitol Building Fund.

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

Senator Miklethun introduced:

Senate Bill No. 37. A Bill For an Act Providing Who Shall Be Employed on All Public Work, Providing for the Qualification of Such Employees, and Prohibiting Deduction From Wages.

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

Senators Topp and Coffey introduced:

Senate Bill No. 38. A Bill For an Act to Amend and Re-enact Section 1122 of the Compiled Laws of the State of North Dakota for the Year 1913, Specifying the Qualifications for the Office of County Superintendent of Schools.

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

Senator McDonald introduced:

Senate Bill No. 39. A Bill For an Act to Repeal Sections 992, 993, 994, 996, 997, 998, 999, 1000, 1001, 1002, 1003, and 1004 of the Compiled Laws for the Year 1913, the Same Also Being Chapter 155, Section 1 to 13 Inclusive, of the Session Laws of 1913 Known as the Absent Voter's Law Together With all Amendments Thereto or to Any of the Sections Thereof Expressly Including Those Amendments Enacted by Chapter 136 Session Laws 1931.

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

Senator Bonzer introduced:

Senate Bill No. 40. A Bill For an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by the Wahpeton Military Training School as Mortgagor to the State of North Dakota as Mortgagee, Dated October 4, 1910, Filed for Record in the Office of the Register of Deeds of Richland County, North Dakota, on October 12, 1910, at 11:30 A. M. and Recorded in Book 69 of Mortgages, at Page 176, and Covering Lots Numbered Sixteen (16) and Seventeen (17) in Block Thirty-Seven (37) of the Original Townsite of the City of Wahpeton, Richland County, North Dakota, Insofar as Said Mortgage Is a Lien Upon and Affects Said Lot Sixteen (16) But Not Otherwise.

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

Senator Miklethun introduced:

Senate Bill No. 41. A Bill For an Act to Provide For the Removal of Buildings, Fences, Windmills, Additions to Buildings and Mechanical Appliances Attached to Buildings Which Are Placed Upon the Land After the Land Has Been Encumbered, and Repealing All Act and Parts of Acts in Conflict Herewith.

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

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
January 18, 1935.

Mr. Speaker: I have the honor to transmit herewith Senate Concurrent Resolution "C" which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to: Bertel Jacobsen, Martin Jacobsen, Jean Livingston, R. L. Larkin and H. E. Nelson, all of Minot; A. C. Stolt, Sherwood; Obed Wyum, Gilbert Anderson, Rutland; Chas. Cooper, Brampton; Mrs. W. S. Handley, Stirum; Harold Loudon, Cayuga; A. C. Cooper, Lisbon; Robert P. Becker, I. M. Williams, Des Lacs; L. N. Conklin, Garrison; J. B. Dellon, Turtle Lake; E. W. Herr, August F. Hoff, Wishek; Jacob Friedrich, Fredonia; Jacob Brosy, Geo. Wolf, Wishek; John Heil, Selz; Tom Norman, Valley City, and Mrs. Franklin Page, Hamilton.

Senator Matthaei moved that the Senate do now adjourn until Monday.

Which motion prevailed.

The Senate stood adjourned until Monday.

F. E. TUNELL,
Secretary.

FOURTEENTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 21, 1935.

The Senate convened pursuant to adjournment, President Welford presiding.

Prayer by Chaplain, Rev. Opie S. Rindahl.

All Senators were present except Senators Erickson and Fine.

The President announced that a quorum was present.

Senator Greene of Stutsman moved that all absent Senators be excused.

Which motion prevailed.

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

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

On page two, line twelve, strike out the word "others" and insert "other."

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

PETITIONS AND COMMUNICATIONS

The following petitions and resolutions were received and read from the desk:

A resolution presented by Senator Mutchler, signed, A. S. Denison, and two other members of the Board of County Commissioners of Oliver County, asking the restoration of motor vehicle license fees for road purposes.

Referred to Committee on Highways.

A resolution presented by Senator Kolpin, signed, Mrs. D. J. Gumb, Hope Club No. 1, representing eight hundred petitioners tendered from a joint meeting, asking favorable consideration of the Townsend Old Age Pension Plan.

Referred to the Committee on State Affairs.

A resolution presented by Senator Fredrickson, signed, Martin Flom, chairman of the Board of County Commissioners of Nelson County, and four other members, asking the restoration of all motor vehicle license fees for road purposes.

Referred to the Committee on State Affairs.

Eight petitions in the form of one telegram and seven letters, presented by Senator Brostuen, condemning any law advocating an additional one cent gas tax.

Referred to the Committee on Highways.

A resolution presented by Senator Dubay, signed, James H. Penny, County Auditor of Rolette County, asking the restoration of motor vehicle license fees for road purposes.

Referred to the Committee on Highways.

A petition presented by Senator Peterson, signed, Pete Bomer, and three others, asking that legislation enacted at this session be constitutional and that the question of the Governorship be determined before important legislation is completed.

Referred to the Committee on Ways and Means.

A resolution presented by Senator Peterson, signed, Albert Moerke, secretary of the Farmers Union Local No. 488, condemning any form of sales tax, but asking for a graduated net income tax as the principal basis of taxation.

Referred to the Committee on Taxes and Tax Laws.

A resolution presented by Lieutenant-governor Walter Welford, signed, L. J. Keneman of the Chamber of Commerce of Pembina, and nine other organizations, asking that present relief to school districts for payment of salaries be extended to the end of the 1934-1935 term.

Referred to the Committee on Education.

A resolution presented by Senator Dubay, signed, James H. Penny, County Auditor of Rolette County, asking that taxes be paid on state owned lands.

Referred to the Committee on Taxes and Tax Laws.

A resolution presented by Senator McDonald, signed, J. S. Penner, asking that H. J. Taylor, (Federal Engineer for North Dakota), and Mr. Pelan, (Federal District Engineer at St. Paul, Minn.) be transferred or retired from office.

Referred to the Committee on Highways.

REPORT OF STANDING COMMITTEES

A majority of the Committee on Employment made the following report:

Mr. President: A majority of your Committee on Employment to whom was referred the question of salaries to be paid Senate employees during the present session, have had the same under consideration and recommend that the Senate adopt the same salary schedule for employees as that adopted and in force in the House.

H. T. PETERSON, Chairman,
G. F. DREW,
THOS. WHELAN.

Senator Whelan moved that the majority report be adopted.

A minority of the Committee on Employment made the following report:

Mr. President: A minority of your Committee on Employment recommends that the salaries of the employees of the Senate for this session be fixed at the same scale as used in the 1933 session of the legislature, excepting that Pages receive \$4.00 per day instead of \$3.60.

WILLIAM WATT,
GUST WOG.

Senator Watt moved that the minority report be substituted for the report of the majority.

Senator Cain moved as a substitute motion that the report be referred to the Committee on Employment for further consideration.

Which motion prevailed.

FIRST READING OF SENATE BILLS

Senator McDonald introduced:

Senate Bill No. 42. A Bill for an Act Fixing the Qualifications of Employees to Be Engaged on Public Work, Providing for Minimum Wages and Maximum Hours of Employment, Prohibiting Deduction from Wages and Providing a Remedy for Employees Paid Less Than the Minimum and the Penalty for Violation of the Act.

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

Senator Brostuen introduced:

Senate Bill No. 43. A Bill for an Act Providing for the Registration and Labeling of Livestock Remedies; Mak-

ing the Director of the State Regulatory Department Registrar Thereof, and Authorizing Him to Make Rules and Regulations for the Administration of This Act; Prescribing the Method of Revocation of Such Registration and Prescribing a Penalty for the Violation Thereof.

Was read the first time and referred to the Committee on Livestock.

Senator Miklethun introduced:

Senate Bill No. 44. A Bill for an Act Relating to Additional Alternate Exemptions for Persons Engaged in Farming, Dairying, Stockraising.

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

Senator Erickson introduced:

Senate Bill No. 45. A Bill for an Act Providing for Each Life Insurance Company Now Engaged or That May Engage in Transacting Business of Life Insurance in This State, Shall Invest and Keep Invested in North Dakota, Securities and North Dakota Real Estate a Sum of Money Equal to at Least Seventy-five per Cent of the Aggregate Amount of Legal Reserve; Providing How Investments Shall Be Made; for an Occupation Tax; Report Showing Amount of Reserve and Gross Receipts; Requiring Taxes to Be Paid Before Certificate Issued; Providing Penalties for Failure to Renew Certificate; Authorizing Commissioner to Revoke Certificate; and Deposit by Domestic Company; Repealing All Acts or Parts of Acts in Conflict With This Act.

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

SENATE CONCURRENT RESOLUTION E

Introduced by Senator Erickson

A Concurrent 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.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

H. E. Nelson, Valley City; Thomas J. Thomsen, Major 164th Infantry, Wahpeton; Osmund Selland, Tunbridge; Herman Rommin, Silva; Geo. Watson and Chas. Hursey, Rugby; M. M. Opegard and E. E. Lycke, Grand Forks.

Senator Miklethun moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

FIFTEENTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 22, 1935.

The Senate convened pursuant to adjournment, President Welford presiding.

Prayer by Chaplain, Rev. Opie S. Rindahl.

All Senators were present except Senators Fine, Lemke and Matthaei.

The President announced that a quorum was 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 Fourteenth day and find same to be correct.

And recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

PETITIONS AND COMMUNICATIONS

The following Petitions and Communications were received, and read from the desk:

A resolution presented by Senator Jones, signed, D. D. Riley, President of the Townsend Club Number Seven, asking that the Legislature Memorialize Congress for favorable consideration.

Referred to the Committee on State Affairs.

A petition presented by Senator Kolpin, signed, Syell C. Sampson, and eighteen others, asking favorable consideration for two bills which they will present; one amending the

law relative to the appointment of Fire Marshal, the other providing for the Regional Holding of Fire Schools.

Referred to the Committee on State Affairs.

Nine petitions, presented by Senator Brostuen, protesting any increase in the Gas Tax.

Referred to the Committee on Highways.

A resolution presented by Senator Kroeber, signed, E. C. Krueger, chairman, and two other members of the Board of County Commissioners of Logan County, asking the taxation of State Owned Lands.

Referred to the Committee on State Affairs.

A resolution presented by Senator Thorson, signed, Louis C. Bohnhoff, chairman, of Strehlow Township Board, asking the endorsement of the principle of state support of Public School Education, sponsored by the Legislative Committee of the North Dakota Education Association.

Referred to the Committee on Education.

A petition presented by Senator Bonzer, signed, Alvin Manstrom, manager of The Wyndmere Livestock Shipping Association, asking favorable consideration of the Weighing and Grading Bill to be introduced.

Referred to the Committee on State Affairs.

A resolution presented by Senator Braaten, signed, John E. Nuss, chairman, and four other members of the Board of County Commissioners of Grand Forks County, asking restoration of all Motor Vehicle License Fees for Road Purposes.

A like petition was presented by Senator Kroeber, signed, N. C. Krebsbach, chairman, Board of County Commissioners of Logan County.

A like petition was presented by Senator Bonzer, signed, Geo. Fischer, County Auditor of Richland County.

Which petitions were referred to the Committee on Highways.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, North Dakota,
January 22, 1935.

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

House Bill No. 9. A Bill for 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.

Also,

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Also,

House Bill No. 11. 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.

Also,

House Bill No. 12. 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 1917, the Same Being Section 663a1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 14. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Also,

House Bill No. 17. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota.

Also,

House Bill No. 18. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

House Bill No. 19. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota.

Also,

House Bill No. 20. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

House Bill No. 15. A Bill for an Act Making an Appropriation for the Care of Feeble Minded Whose Residence Cannot be Determined and Whose Care Must be Borne by the State.

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

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

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

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

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

L. O. FREDRICKSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 7. 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 be amended as follows:

In line 3, of the printed bill, strike out the figures "\$300.00" and substitute the figures "\$200.00."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 10. A Bill for an Act Making an Appropriation to Pay Expenses of Erecting Headstones Over the Graves of Soldiers, Sailors, and Marines of the United States War of the Rebellion.

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

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson 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. 26. A Bill for an Act to Provide for the Scaling Down and Discounting of Past Due Interest on Loans Made by the Board of University and School Lands.

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

J. K. BROSTUEN,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 9. 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, the Same Being Section 11302 of the Supplement to the Compiled Laws of North Dakota.

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

In line 3 of the title the following wording "Chapter 12, Laws of 1915, the Same Being" be struck out, that in line 4 of the title between the words "the" and "Compiled" the figure "1913" be inserted," and that in lines 6 and 7 of the printed bill the following wording, "Chapter 12, Session Laws 1915, the Same Being" be struck out, and that following the word "the" at the end of line 7 of the printed bill the figure "1913" be inserted.

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson 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. 35. A Bill for an Act to Amend and Re-enact Section 2868a1 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Levy of Tax by the County Commissioners Upon Being Petitioned for the Purpose of Creating a Fund for the Extermination of Grasshoppers and for Disposition of Any Unexpended Balance Remaining in Such Fund.

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

In line one of the title of the printed bill strike out the words and figures "of the 1925."

In line two of the title of the printed bill strike out figures and words "1913 Compiled Laws of North Dakota" and insert in lieu thereof the words and figures "Compiled Laws of 1913."

In Section one, line one, of the printed bill, strike out the words and figures "of the 1925."

In line two strike out the figures "1913" and following the word laws in the same line insert the word and figures "of 1913."

In line six, strike out words "fifty-one" and insert in lieu thereof "twenty-five."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen 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 CONCURRENT RESOLUTION "D"

Memorializing the Congress of the United States to Act Favorably and With as Much Speed as Possible, Upon House Joint Resolution Number 66, Providing for a Constitutional Amendment Doing Away with the Issuance of Tax Exempt Bonds.

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

J. K. BROSTUEN,
Chairman.

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

A majority of the Committee on Employment made the following report:

Mr. President: A majority of your Committee on Employment to whom was referred the question of salaries to be paid Senate employees during the present session, have had the same under consideration and recommend that the Senate adopt the same salary schedule for employees as that adopted and in force in the House.

H. T. PETERSON, Chairman
G. F. DREW
THOS. WHELAN.

Senator Peterson moved that the report be adopted.

A minority of the Committee on Employment made the following report:

Mr. President: A minority of your Committee on Employment to whom was referred the question of salaries to be paid Senate employees during the present session have had the same under consideration and recommend that said employees receive the same salary as that in force two years ago during the 1933 session.

SENATOR WATT
SENATOR WOG.

Senator Watt moved that the minority report be substituted for the report of the majority.

ROLL CALL

The question being on the adoption of the minority report, 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.
Brostuen	Lowe	Topp
Dubay	McGillic	Trout
Eastgate	Miklethun	Watt
Ettestad	Mutchler	Wog
Fredrickson	Nelson, Barnes	Young
Gronvold	Nelson, Grand Fks.	
Johnson	Strehlow	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	McDonald
Braaten	Handley	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Stucke
Crandall	Kolpin	Thatcher
Drew	Kroeber	Thorson

Messrs.	Messrs.	Messrs.
Erickson	Lind	Trovatten
Fowler	Lynn	Vinje
Greene, Cavalier	Marshall	Whelan

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fine	Lemke	Matthaei

So the motion was lost.

Senator Cain: "It being my opinion that the law fixes the salary of the employees of the Senate and that the Senate cannot by resolution change the statute, I vote 'no'."

Senator Erickson: "Since the members now opposing this report, in 1929 increased the salary without recognizing the statute referred to, I vote 'no'."

Senator Watt moved that the Senate defer further action until an opinion of the Attorney General be secured to find out if the statute does not cover this action.

Which motion prevailed.

Senator Miklethun moved that all absent Senators be excused.

Which motion prevailed.

Senator Fowler moved that Rule No. 26 of the Senate Rules for the Twenty-fourth Legislative Assembly be amended by striking out the word "divisible" and inserting in lieu thereof the word "indivisible."

Which motion prevailed.

Senator Thatcher moved that the headings of Rules numbers 10 and 11 be reversed.

Which motion prevailed.

FIRST READING OF SENATE BILLS

SENATE RESOLUTION "C"

Introduced by Senator Kroeber

Relating to Charges Made by Telephone Companies in Cities for Phone Service.

BE IT RESOLVED, BY THE SENATE OF THE STATE OF NORTH DAKOTA:

WHEREAS: The statutes of the State of North Dakota contemplate that telephone companies shall make available service to all subscribers upon an equal basis without any differential in charges; and,

WHEREAS: In various cities of the State of North Dakota an extra line charge for service installation is made monthly where the telephone is installed beyond certain limits within the city; and,

WHEREAS: Section 4812a6, Chapter 15a of the 1925 Supplement to the Compiled Laws of North Dakota, particularly provides that any discrimination shall be unlawful; and,

WHEREAS: In practically all cities, an extra charge of twenty-five cents per month is made for the use of so-called "French-type" telephones; and,

WHEREAS: It is a common belief that charges in both of these instances violate the principles of equal service to all subscribers.

THEREFORE BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA.

That the attention of the Board of Railroad Commissioners of the State of North Dakota be directed to such situation and request is hereby made to take such steps as are necessary to insure that equal service and like units be furnished to all patrons within the limit of the regularly prescribed rates for phone installations, and that no extra charge for special equipment be permitted.

Referred to the Committee on State Affairs.

SENATE RESOLUTION "D"

Introduced by Senator Fredrickson

A Resolution to Appoint the Official Photographer for the Senate of the Twenty-fourth Legislative Assembly of the State of North Dakota.

WHEREAS: For historical purposes, it has been the custom of all assemblies of the North Dakota Senate to have a composite group picture hung in the Senate Chambers of the individual members of each session, and,

WHEREAS, The Butler Studio of Bismarck, North Dakota, offers to make such a group picture and hang it, framed, in the Senate Chambers at a cost of One Dollar for each individual in the group,

NOW, THEREFORE, Be It Resolved, that the Butler Studio be, and is hereby awarded the sole privilege of photographing the members of the Senate of the Twenty-fourth Legislative Assembly on the floor of the Senate.

Referred to the Committee on State Affairs.

SENATE CONCURRENT RESOLUTION "F"

Introduced by Senator Kroeber

Relating to Telephone Toll Rates Within the State of North Dakota.

BE IT RESOLVED, BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES, CONCURRING:

WHEREAS: It appears that telephone toll rates within the State of North Dakota are out of proportion with the charges made for other and similar public services; and,

WHEREAS: Telephone toll rates for service in radio "hookups" for broadcasting purposes appear to be particularly excessive; and,

WHEREAS: It appears that telephone rates for so-called station to station calls are discriminatory when compared with person to person calls;

THEREFORE, BE IT RESOLVED: That the attention of the Board of Railroad Commissioners of the State of North Dakota is hereby directed to such situation and said Board be particularly invited to investigate telephone rates in existence, and to adjust them to a more reasonable and equitable scale; and,

BE IT FURTHER RESOLVED: That toll rates under no circumstance should not exceed one-half cent per mile for three minutes of conversation, and that such charge should not exceed ten cents per mile per hour for any service.

BE IT FURTHER RESOLVED: That the Board of Railroad Commissioners are hereby requested to inform this assembly whether the present laws of the State of North Dakota are ample to enable it to regulate and control telephone companies doing business in the State.

Referred to the Committee on State Affairs.

SENATE CONCURRENT RESOLUTION "G"

Introduced by Senators F. T. Gronvold and Albert Dubay

WHEREAS: The International Peace Garden has been established on the boundary line between North Dakota and Manitoba, and

WHEREAS: It is proper and necessary in order to complete said Peace Garden project, and to encourage and attract traffic to the same, and to increase an interest in such project, that adequate Customs and Immigration buildings, in keeping and in harmony with the character and nature of said Peace Garden project, be constructed and erected thereon,

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA: That the bill in Congress introduced by Senator Gerald P. Nye, which provides for adequate Customs and Immigration buildings upon said project be and the same is hereby approved and endorsed, and that Congress be petitioned and requested to pass the same.

Referred to the Committee on State Affairs.

SENATE CONCURRENT RESOLUTION "H"

Introduced by Senators Whelan, McGillic and Lynn

Requesting Congress of the United States to Enact Legisla-

tion to Provide for the Immediate Payment of World War Veterans' Adjusted Compensation Certificates; Cancelling Interest; Refunding Interest Paid.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING:

WHEREAS: A general economic depression, producing a depreciation in the value of all commodities, a stagnation of business, an aggravated condition of unemployment and serious individual suffering now exists in the State of North Dakota and throughout the whole nation; and,

WHEREAS: There are now pending before the Congress of the United States certain measures, the purpose of which is to alleviate in some degree the existing distressing conditions, by providing for the immediate conversion into cash of World War Veterans' Adjusted Compensation Certificates; and,

WHEREAS: The passage of such legislation would bring immediate relief to thousands of veterans and their dependents who are now in need; create new markets; instill new life into American business, and be a well deserved demonstration of the gratitude of the nation to those who carried its arms in 1917 and 1918; and,

WHEREAS: The American Legion in convention duly assembled have requested the immediate cash payment of all Adjusted Compensation Certificates; and,

WHEREAS: It is our sincere and honest belief that the immediate cash payment of all Adjusted Compensation Certificates will be of untold value in hastening recovery from present economic crisis;

NOW, THEREFORE, BE IT RESOLVED: That the Senate of the State of North Dakota, the House of Representatives concurring, most respectfully urge upon the Congress of the United States, the early enactment of Legislation providing for the cancellation of all accrued interest, the refund of all interest paid, and the immediate payment, upon application, of the full face value of such Adjusted Compensation Certificates.

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.

Referred to the Committee on State Affairs.

Senators Kroeber and Peterson introduced:

Senate Bill No. 46. A Bill for an Act Relating to the Foreclosure of Real Estate Mortgages and Land Contracts,

Providing What the Judgment and Decree Shall Contain, and Prohibiting Any Deficiency Judgments.

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

Senators Peterson and Thatcher introduced:

Senate Bill No. 47. A Bill for an Act to Provide for a State-wide Moratorium for a Period of Two Years, Prohibiting all Foreclosures, Executions, and Tax Sales, all Evictions and Dispossessions, Making Exception in Certain Cases, Providing a Limitation of Time in Which Evictions and Dispossessions May Be Executed, Providing for a Constitutional Saving Clause, and Declaring Said Act to Be an Emergency Measure.

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

Senator Mutchler introduced:

Senate Bill No. 48. A Bill for an Act to Restore the Motor Vehicle Registration Fund to the Highway Department.

Was read the first time and referred to the Committee on Highways.

Senators Gronvold and Wog introduced:

Senate Bill No. 49. A Bill for an Act Amending and Re-enacting Section 3341, Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of the County Treasurer, and Providing That the County Treasurer Be the Treasurer of all Tax Districts Within the County, Including Cities (Whether Operated Under Special Charter or General Law), Villages, Townships, Towns, School Districts, (Whether Operating Under Special Charter or General Law) and Park Districts, Excepting Cities Having a Population of 3,000 or Over; and Providing an Exception and Option in the Case of Cities Having a Population of 3,000 or Over, and Repealing Sections 4087-4159-4160-660-4165-4206, as Amended by Chapter 241; Session Laws of 1927; 4-67-3889, Compiled Laws of the State of North Dakota for the Year 1913.

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

Senators Gronvold and Wog introduced:

Senate Bill No. 50. A Bill for an Act Amending and Re-enacting Chapter 202 of the Session Laws of North Dakota for 1931, and Relating to Funds of Cities, Villages, Townships, Towns, School Districts and Park Districts, Except in Cities Having a Population of 3,000 or Over.

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

Senator McDonald introduced:

Senate Bill No. 51. A Bill for an Act to Provide for the Cancelling of Taxes Levied Against Homesteads for the Years Prior to 1934; Defining a Homestead, as Used in Said Act, and Providing for the Method of Causing and Procuring Such Cancellation.

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

Senators Thorson, Drew and Greene of Stutsman introduced:

Senate Bill No. 52. A Bill for an Act Creating a Federated, Legislative, Co-operative Agricultural Association by Co-operation with Other Surplus Producing States of the Union, Describing the Manner of Forming the Same, the Purposes Thereof; Making an Appropriation Therefor, and Declaring an Emergency.

Was read the first time and referred to the Committee on Agriculture.

Senate Committee on Game and Fish introduced:

Senate Bill No. 53. A Bill for an Act Requiring All Hunters and Trappers to Report the Number and Kind of Birds and Animals Killed or Trapped During Previous Season.

Was read the first time and referred to the Committee on Game and Fish.

Senator Handley introduced:

Senate Bill No. 54. A Bill for an Act Exempting Certain Banks Designated as Public Depositaries from Furnishing Bonds Under Certain Conditions and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Committee on Appropriations introduced:

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 916, of the Compiled Laws of North Dakota for the Year 1913, Pertaining to Payment of Expenses of Delegates to National Conventions.

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

Senators Thorson and Brostuen introduced:

Senate Bill No. 56. A Bill for an Act to Amend and Re-enact Section 2093 of 1925 Supplement to the Compiled Laws of 1913, and Sections 2127, 2133, 3642, 3643 and 3872 of the Compiled Laws of 1913, and Sections 2125 and 3871 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 248 of Session Laws of 1929, Relating to the Division of Unorganized Territory Into Assessors Districts; the Election, Qualifications and Compensation of Assessors of Townships of Unorganized Districts; Listing of Real and Personal Property for Taxation; Changing the Assessor's Date from April 1, to May 1, and Changing the Time Within Which Assessors and Boards of Review Are Required to Per-

form Their Duties; Repealing Conflicting Provisions and Declaring an Emergency.

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

FIRST READING OF HOUSE BILLS

House Bill No. 9. A Bill for 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.

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

House Bill No. 10. 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 time and referred to the Committee on Appropriations.

House Bill No. 11. 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 time and referred to the Committee on Appropriations.

House Bill No. 12. 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 1917, the Same Being Section 663a1 of the Supplement to the 1913 Compiled Laws of North Dakota.

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

House Bill No. 14. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

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

House Bill No. 15. A Bill for an Act Making an Appropriation for the Care of Feeble Minded Whose Residence Cannot be Determined and Whose Care Must be Borne by the State.

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

House Bill No. 17. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota.

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

House Bill No. 18. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the

Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

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

House Bill No. 19. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota.

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

House Bill No. 20. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

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

The President announced that the Senate was on the Fourth Order of Business.

PETITIONS AND COMMUNICATIONS

The following petitions were received and read from the desk:

A petition presented by Senator Lind, signed, R. L. Wright and four other members of the Board of County Commissioners of Williams County, asking that Chiropractic practitioners be allowed to practice in the State Hospital for Insane.

Referred to the Committee on State Affairs.

A resolution presented by Senator Lind, signed, R. L. Wright and four other members of the Board of County Commissioners of Williams County, asking that no legislative act be passed for the cancellation of personal property tax.

Referred to the Committee on Taxes and Tax Laws.

A petition presented by the Labor Organization of the State, signed by D. J. Drennan, on eight requests for legislation.

Referred to the Committee on State Affairs.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Mrs. M. J. Connolly and Mr. M. J. Connolly, New England.

Senator Stucke moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

SIXTEENTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 23, 1935.

The Senate convened pursuant to adjournment, President Welford presiding.

Prayer by Chaplain, Rev. N. E. McCoy.

Roll Call: All Senators were present except Senators Fine, Fowler, Lemke, Matthaei and Thatcher.

The President announced that a quorum was present.

Senator Miklethun moved that all absent Senators be excused.

Which motion prevailed.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifteenth Day and found the same to be correct.

R. A. OWINGS,
Chairman.

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

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A resolution presented by Senator Nelson of Barnes, signed, C. W. Jaeger, chairman, and four other members of the Board of County Commissioners of Barnes County, requesting the taxation of state lands.

A like resolution presented by Senator Kolpin, signed, W. M. Bourn, chairman, and four other members of the Board of County Commissioners of Steele County.

Referred to the Committee on Taxes and Tax Laws.

A resolution presented by Senator Kolpin, signed, W. M. Bourn, chairman, and four other members of the Board of County Commissioners of Steele County, asking the restoration of motor vehicle license fees for road purposes.

Referred to the Committee on Highways.

A resolution presented by Senator Jones, signed, Paul F. Haas, Secretary of Barbers Union No. 38 of Minot, condemning unfair practices against the barbers' trade.

Referred to the Committee on State Affairs.

A group of five petitions, presented by Senator Whelan, condemning walkathons.

Referred to the Committee on State Affairs.

A group of four telegrams and two letters, presented by Senator Brostuen, condemning an additional one cent gas tax.

Referred to the Committee on Highways.

MESSAGE FROM THE HOUSE

House Chamber,
Bismarck, North Dakota,
January 23, 1935.

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 Purpose of Paying Salary and Miscellaneous General Expenses of the Department of Minimum Wage.

Also,

House Bill No. 27. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and Magpie Bounty as Provided for by Sections 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

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

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

REPORT OF COMMITTEE ON ENROLLMENT AND ENGROSSMENT

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 7. 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.

Also,

Senate Bill No. 9. 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 Section 11302 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 35. A Bill for an Act to Amend and Re-enact Section 2868a1 Supplement to the Compiled Laws of 1913, Relating to the Levy of Tax by the County Commissioners Upon Being Petitioned for the Purpose of Creating a Fund for the Extermination of Grasshoppers and for Disposition of any Unexpended Balance Remaining in Such Fund.

And find the same correctly engrossed.

Also,

Senate Memorial Resolution No. A. A Resolution Expressing Sympathy to the Family of the Late Dana J. Tinnes.

Also,

Senate Memorial Resolution No. B. A Resolution Expressing Sympathy to the Family of the Late W. S. Whitman.

And find the same correctly enrolled.

THOMAS WHELAN,
Chairman.

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

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. 12. A Bill for an Act to Prohibit Marathon Dances, Walkathons, Skatathons, or any Endurance Contest and Providing Penalties for any Person, Firm, or Corporation Participating in, Attending or Promoting Such Contest.

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

Strike out the period in the title and insert a comma in lieu thereof and the following language: "and declaring an emergency." Also add Section 3, as follows: "An emergency

is hereby declared to exist and this bill shall be in full force and effect from and after its passage and approval."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer 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. 30. A Bill for an Act to Prevent Persons Other Than Duly Licensed Practicing Attorneys and Counsellors at Law from Charging Fees for Making Conveyances, in Writing, of Real or Chattel Property, or for the Making of Wills or Other Instruments by Which Property or Other Rights Are Transferred or Conveyed, and Providing a Penalty for Violation Thereof.

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

J. P. CAIN,
Chairman.

Senator Cain 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. 31. A Bill for an Act to Amend and Re-enact Section 9163 of the Compiled Laws of North Dakota, for the Year 1913, Being Section 1 of Chapter 6, Relating to Appeals to the District Court.

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

In line two of the title of the printed bill after the figures "1913" strike out the following language "Being Section 1 of Chapter Six."

In line seven of the printed bill, after the word "county" strike out the word "or".

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 32. A Bill for an Act Entitled an Act Prescribing the Oath or Affirmation to Be Taken and Subscribed by All Employees of the State of North Dakota, or any Municipal Subdivision Thereof.

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

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer 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. 33. A Bill for an Act Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply with This Law.

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

In Section one, line eight, of the printed bill, after the word "affidavit" insert a comma and the following language "or the filing of a defective or insufficient affidavit comma."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Section 7298 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Holidays Enumerated in Chapter 165 of the Session Laws of North Dakota, for the Year 1927, and Amending Section 7297, 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:

Strike out everything after the words "A Bill" and insert in lieu thereof the following: "For an Act to amend and re-enact Section 7298, Compiled Laws of 1913, relating to holidays.

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

Section 1. Amendment.) That Section 7298, Compiled Laws of 1913 be amended to read as follows: Section 7298. Whenever any holiday now or hereafter declared and established by law shall fall upon Sunday, the Monday following shall be the holiday."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 40. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by the Wahpeton Military Training School as Mortgagor to the State of North Dakota as Mortgagee, Dated October 4, 1910, Filed for Record in the Office of the Register of Deeds of Richland County, North Dakota, on October 12, 1910, at 11:30 A. M. and Recorded in Book 69 of Mortgages, at Page 176, and Covering Lots Numbered Sixteen (16) and Seventeen (17) in Block Thirty-seven (37) of the Original Townsite of the City of Wahpeton, Richland County, North Dakota, Insofar as Said Mortgage Is a Lien Upon and Affects Said Lot Sixteen (16) But Not Otherwise.

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "H"

Requesting Congress of the United States to Enact Legislation to Provide for the Immediate Payment of World War Veterans' Adjusted Compensation Certificates; Cancelling Interest; Refunding Interest Paid.

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

A. F. BONZER, Jr.,
Chairman.

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

Senator Cain moved that Senate Bill No. 28 be re-referred from the Committee on Judiciary to the Committee on Banks and Banking.

Which motion prevailed.

SENATE CONCURRENT RESOLUTION No. "I"

Introduced by Senators Micklethun and Peterson

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

WHEREAS, The problem of old age security has become a leading public issue, and

WHEREAS, The People of the State of North Dakota have become conscious of the need for federal legislation aiming to make dependent old age more secure; and

WHEREAS, Many thousands of the people of this state have endorsed and recommended a plan known as "The Townsend Old Age Revolving Pension Plan," tending toward the accomplishment of these aims and the security of persons of this state in their old age; and

WHEREAS, It is imperative that our younger people may find employment and thus put an end, in a large measure, to our present unemployment situation, and that the active and wide spread buying and selling to result from the operation of the Townsend Bill will help banish poverty and bring back prosperity to our country in general;

NOW THEREFORE, BE IT RESOLVED, By the Senate of this Twenty-fourth Legislative Assembly, the House of Representatives concurring herein: That the Congress of the United States is hereby respectfully memorialized and urged to give every consideration to the said "The Townsend Old Age Revolving Pension Plan," if, as, and when the same is presented for its consideration.

BE IT FURTHER RESOLVED, That the Senators and Representatives of the State of North Dakota in the Congress of the United States be requested to take such necessary steps as will insure full consideration of the aforesaid, "The Townsend Old Age Revolving Pension Plan" upon its presentation to the Congress of the United States, and that copies of this memorial be forwarded forthwith to the President of the Senate, to the Speaker of the House of Representatives of the Congress of the United States, and to the Senators and Representatives of the State of North Dakota.

Referred to the Committee on State Affairs.

FIRST READING OF SENATE BILLS

Senator Bonzer introduced:

Senate Bill No. 57. A Bill for an Act to Amend and Re-enact Section 486 and Section 487 of the Compiled Laws of 1913, Relating to the Regulation of the Practice of Pharmacy.

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

Senate Committee on Employment introduced:

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Section 34, Compiled Laws of 1913, Relating to Officers and Employees and Compensation Thereof, of the Legislative Assembly.

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

Senator Bonzer introduced:

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 559 of the 1913 Revised Statute, Relating to Appointments of the Board of Examiners.

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

Senator Bonzer introduced:

Senate Bill No. 60. A Bill for an Act to Amend and Re-enact Section 2836 of the Year 1913 Revised Statute (Section 2836, 1925 Supplement), Relating to Appointments of Deputy Commissioner of Agriculture and Labor.

Was read the first time and referred to the Committee on Agriculture.

SECOND READING OF SENATE BILLS

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow

Messrs.	Messrs.	Messrs.
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thorson
Drew	Lind	Topp
Dubay	Lowe	Trout
Eastgate	Lynn	Trovatten
Erickson	Marshall	Vinje
Ettestad	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fine	Lemke	Thatcher
Fowler	Matthaei	

So the bill passed and the title was agreed to.

Senate Bill No. 10. A Bill for an Act Making an Appropriation to Pay Expenses of Erecting Headstones Over the Graves of Soldiers, Sailors, and Marines of the United States War of the Rebellion.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.
Fine	Matthaei
Lemke	Thatcher

So the bill passed and the title was agreed to.

Senate Bill No. 26. A Bill for an Act to Provide for the Scaling Down and Discounting of Past Due Interest on Loans Made by the Board of University and School Lands.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.
Fine	Matthaei
Lemke	Thatcher

So the bill passed and the title was agreed to and the emergency clause declared carried.

SENATE CONCURRENT RESOLUTION "D"

Memorializing the Congress of the United States to Act Favorably and With as Much Speed as Possible, Upon House Joint Resolution Number 66, Providing for a Constitutional Amendment Doing Away with the Issuance of Tax Exempt Bonds.

Was read the second time.

ROLL CALL

The question being on the adoption of the Resolution, 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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.

Messrs.

Brostuen
Cain
Coffey
Crandall
Drew
Dubay
Eastgate
Erickson
Ettestad
Fowler
Fredrickson
Greene, Cavalier
Greene, Stutsman

Messrs.

Johnson
Jones
Kamrath
Kolpin
Kroeber
Lind
Lowe
Lynn
Marshall
McDonald
McGillic
Miklethun
Mutchler

Messrs.

Owings
Peterson
Strehlow
Stucke
Thorson
Topp
Trout
Trovatten
Vinje
Watt
Whelan
Wog
Young

Absent and not voting:

Messrs.

Fine
Lemke

Messrs.

Matthaei
Thatcher

So the resolution was adopted.

FIRST READING OF HOUSE BILLS

House Bill No. 13. 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 time and referred to the Committee on Appropriations.

House Bill No. 27. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and Magpie Bounty as Provided for by Sections 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

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

Senator Watt requested unanimous consent to return to the Fourth Order of Business.

Which request was granted.

Senator Watt moved that the communication from the office of the Attorney General be printed in the Journal and a copy sent to the House of Representatives.

Which motion prevailed.

State of North Dakota
OFFICE OF ATTORNEY GENERAL
Bismarck

January 22, 1935.

Mr. F. E. Tunell,
Secretary of the Senate,
Bismarck, N. Dak.

Dear Mr. Tunell:

Replying to your letter of the 22nd inst. relative to salaries of officers and employees of the Senate.

Section 34 C. L. enumerates the officers and employees of the Senate and of the House of Representatives and fixes the compensation which each one of the officers named shall receive for their services. This law has not been amended since 1907 and fixes the maximum salary which each of those officers may receive, and no branch of the legislative assembly may legally increase the salary of any of those officers without the concurrence of the other branch of the assembly through legislative enactment properly adopted.

"A legislative enactment expressing the legislative power of the legislative assembly pursuant to express constitutional provisions concerning the employees of each house and its expenses is paramount to the independent action of each house without the concurrence of the other." State ex rel Wattam vs. Poindexter, 48 N. Dak. 135, 183 N. W. 852.

I am, therefore, of the opinion that neither the House nor the Senate can by separate action order the payment of any salary to any of the officers named in Section 34 C. L. higher than that provided by that law, without amending by proper legislative action the section cited, and until the section cited is amended no branch of the legislative assembly may by separate action order the payment of any salary to those officers higher than the ones therein provided.

Yours respectfully,

CAV*RGM

CHAS. A. VERRET,
Assistant Attorney General.

Senator Fowler moved that Senate Bill No. 58 be held over for one legislative day and not be referred to the committee, also that it be placed on the calendar for tomorrow.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
January 23, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Also,

Senate Bill No. 10. A Bill for an Act Making an Appropriation to Pay Expenses of Erecting Headstones Over the Graves of Soldiers, Sailors, and Marines of the United States War of the Rebellion.

Also,

Senate Bill No. 26. A Bill for an Act to Provide for the Scaling Down and Discounting of Past Due Interest on Loans Made by the Board of University and School Lands.

Which the Senate has passed.

Also,

SENATE CONCURRENT RESOLUTION "D"

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

COURTESIES OF THE FLOOR

The courtesy of the floor was extended to:

Howard Wood, Bismarck.

Senator Eastgate moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

SEVENTEENTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 24, 1935.

The Senate convened pursuant to adjournment, President Welford presiding.

Prayer by Chaplain, Rev. H. E. Bergland.

All Senators were present except Senators Erickson, Fine, Jones, Lemke and Matthaei.

Senator Miklethun moved that all absent Senators be excused.

Which motion prevailed.

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

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

And recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

Senator Fowler requested unanimous consent to be on the Seventh Order of Business.

Which request was granted.

Senator Fowler moved that the Senate be on the Twelfth Order of Business, and that Senate Bill No. 58 be placed before the Senate for second reading and final passage.

Which motion prevailed.

Senator Fowler moved that Senate Bill No. 58 be amended as follows:

Strike out the period in the title and insert a comma to be followed by this language "and Declaring an Emergency."

Which motion prevailed.

Senator Fowler moved that the rules be suspended and that Senate Bill No. 58, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, North Dakota,
January 24, 1935.

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

HOUSE CONCURRENT RESOLUTION A-1

Also,

HOUSE CONCURRENT RESOLUTION A-2

Memorial to Our President and Congress

Which the House has adopted.

Also,

House Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927 and Chapter 74, Laws of 1929.

Also,

House Bill No. 24. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs, Insurance and Upkeep of Grounds.

Also,

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Carrying out the Provisions of Chapter 203, Session Laws 1919, and Chapter 115, Session Laws 1921, the Same Being Sections 1471b1 and 1471b9 and 1471c1 to 1471c8 of the Supplement to the 1913 Compiled Laws of North Dakota.

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

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Section 34, Compiled Laws of 1913, Relating to Officers and Employees and Compensation Thereof, of the Legislative Assembly, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 42; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Mutchler
Braaten	Gronvold	Nelson, Grand Fks.
Brostuen	Handley	Owings
Cain	Johnson	Peterson
Coffey	Kamrath	Stucke
Crandall	Kolpin	Thatcher
Drew	Kroeber	Thorson
Dubay	Lemke	Trout
Eastgate	Lind	Trovatten
Erickson	Lowe	Vinje
Ettestad	Lynn	Watt
Fowler	Marshall	Whelan
Fredrickson	McDonald	Wog
Greene, Cavalier	McGillic	Young

Those voting in the negative were:

Messrs.	Messrs.
Miklethun	Strehlow
Nelson, Barnes	Topp

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fine	Jones	Matthaei

So the bill passed and the title was agreed to, and the Emergency clause declared carried.

Senator Fowler moved that the vote by which Senate Bill No. 58 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fowler asked unanimous consent to be on the Seventh Order of Business.

Which request was granted.

JOINT RESOLUTION "B"

Introduced by Senate Committee on Employment

A Joint Resolution Providing for Officers and Employees of the Senate and of the House for the Twenty-fourth Legislative Assembly, and Fixing Their Compensation.

BE IT RESOLVED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

That for and during this Twenty-fourth Legislative Assembly the following named persons be employed and appointed as officers and employees of the Senate and of the House, and shall be paid the compensation set opposite their respective names.

FOR THE SENATE:

Secretary, F. E. Tunell	\$ 8.00
Sergeant-at-Arms, Arend Hoffman	5.00
Assistant Sergeant-at-Arms, Joe Volk, Jr.	4.50
First Assistant Secretary, H. R. Morgan	6.50
Second Assistant Secretary, W. J. Church	6.50
Desk Reporter, Marie A. Minnis	8.00
Bill Clerk, J. C. Goll	5.00
Postmaster, P. A. Peterson	4.50
Chief Stenographer, Margaret O. Sheehan	5.00
Stenographer, Betty Boyle	5.00
Stenographer, Josephine Selvig	5.00
Stenographer, Bea Haugen	5.00
Stenographer and Committee Clerk, Josephine Efteland	5.00
Stenographer and Committee Clerk, Kathryn A. Pagen-	
kopf	5.00
Clerk, Clarice Thorson	5.00
Committee Clerk, Wm. Hagen	4.50
Committee Clerk, A. L. Fatland	4.50
Committee Clerk, Emil Strand	4.50
Committee Clerk, Nels Johnson	4.50
Committee Clerk, Wm. Kane	4.50
Committee Clerk, Phillip Heiling	4.50
Chief Mailing Clerk, J. M. Anderson	4.50
First Assistant Mailing Clerk, S. I. Cofell	4.50
Second Assistant Mailing Clerk, C. Ebel	4.50
Chief Enrolling and Engrossing Clerk, Hope Snyder...	5.00
Assistant Enrolling and Engrossing Clerk, Edna Walsh	5.00
Bill Room Clerk, I. J. Leer	4.50
Page, Roswell Kamrath	4.50
Page, Geo. DeFoe	4.50
Page, L. Nappen	4.50
Doorkeeper, Henry Zimmerman	4.50
Doorkeeper, T. O. Thompson	4.50
Doorkeeper, Chas. Severin	4.50
Doorkeeper, Max Netzbandt	4.50
Governor's Messenger, Jake Forester	4.50
Telephone Messenger, W. H. Rickbeil	4.50
Special Messenger, Chester Hamilton	4.50
Messenger, Henry Jacobson	4.50
Proof Reader, R. T. Wood	5.00
Assistant Proof Reader, H. W. Anderberg	5.00
Senate Chamber Custodian, C. A. Patterson	4.50
Assistant Senate Custodian, Arnold Glimm	4.50

Assistant Senate Custodian, Ole O. Sundby	4.50
Cloak Room Attendant, H. H. McCumber	4.50
Chaplains	3.00

FOR THE HOUSE:

Chief Clerk, Walter S. Martin	\$ 8.00
First Assistant Chief Clerk, Minnie D. Craig	6.50
Second Assistant Chief Clerk, Rex Stair	6.50
Desk Reporter, James Bothne	8.00
Sergeant-at-Arms, A. M. Peterson	5.00
Chief Stenographer, Helen Ulsrud	5.00
Stenographer, Evelyn Dada	5.00
Stenographer, Mabel Engeseth	5.00
Stenographer, Marna Cushman	5.00
Stenographer, Clara Kane	5.00
Stenographer, Beatrice Field	5.00
Chief Engrossing and Enrolling Clerk, Lyle George.....	5.00
Assistant Chief Engrossing and Enrolling Clerk, F. E. Karges	5.00
Bill Clerk, Hans Solheim	5.00
Clerk, Committee on State Affairs, E. K. Shaeffer	4.50
Clerk, Committee on Appropriations, Herman Butt	4.50
Clerk, Committee on Judiciary, Evelyn Olson	4.50
Clerk, Committee on Taxes and Tax Laws, H. D. Crockett	4.50
Chief Mailing Clerk, Frank Wald	4.50
First Assistant Mailing Clerk, Lloyd Engh	4.50
Second Assistant Mailing Clerk, Sam Labrenz	4.50
Voucher Clerk and Assistant Mailing Clerk, I. Ander- son	4.50
Postmaster, Joe LePire	4.50
Assistant Postmaster, J. A. Engen	4.50
Bill Room Clerk, Anton S. Kraft	4.50
Bill Messenger and Clerk, W. C. Mills	4.50
Committee Room Attendant and Messenger, John Berg- heim	4.50
Committee Room Attendant and Messenger, J. F. Link	4.50
Assistant Sergeant-at-Arms and Doorkeeper, C. O. Carlson	4.50
Doorkeeper, Main Floor, Ed. Martell	4.50
Doorkeeper, Main Floor, Otto Bruns	4.50
Doorkeeper, Gallery, Mike Tousaind	4.50
Doorkeeper, Gallery, Hjelmer Solwick	4.50
Cloak Room Attendant, Chas. Roth	4.50
Telephone Messenger, Elizabeth Grace	4.50
Page and Messenger, G. W. McCutchen	4.50
Page and Messenger, George Schuch	4.50
Page and Messenger, Harold Gaulke	4.50
Page and Messenger, J. Schoonover	4.50
Page and Messenger, Roland Brochart	4.50
Page and Messenger, M. G. Frank	4.50
Page and Messenger, Kenneth Morgan	4.50
Proof Reader, H. R. Long	5.00
Assistant Proof Reader, I. Sanford	5.00
Chaplain, Rev. N. E. McCoy	3.00
Special Messenger to Governor, H. G. Kapfer	4.50

Janitor, Martin Lund	4.50
Janitor, Lars Soiseth	4.50
Janitor, A. H. Oksendahl	4.50
Janitor, Jacob Bender	4.50
Janitor, Joe Vlassoff	4.50
Janitor, Moss Wilkie	4.50
Janitor, H. E. Dyste	4.50
Night Watchman, S. M. Jensen	4.50
Attendant, August Krenz	4.50
Attendant, Oscar Nelson	4.50
Attendant, Ladies' Cloak Room, Inga Jensen	4.50

Senator Whelan moved that Joint Resolution "B" be amended to show the salary of Margaret O. Sheehan and Helen Ulsrud to comply with Senate Bill No. 58, at \$5.00.

Which motion prevailed.

Senator Fowler moved that the rules be suspended and that Joint Resolution "B," as amended, be considered properly re-engrossed and placed upon second reading and final passage by roll call.

Which motion prevailed.

JOINT RESOLUTION "B"

A Joint Resolution Providing for Officers and Employees of the Senate and of the House for the Twenty-fourth Legislative Assembly, and Fixing Their Compensation.

Was read the second time.

ROLL CALL

The question being on the adoption of Joint Resolution "B," 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.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Absent and not voting:

Messrs.

Fine

Matthaei

So the resolution was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
January 24, 1935.

Mr. Speaker: I have the honor to transmit herewith:

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Section 34, Compiled Laws of 1913, Relating to Officers and Employees and Compensation Thereof, of the Legislative Assembly, and Declaring an Emergency.

Which the Senate has passed.

Also,

JOINT RESOLUTION "B"

A Joint Resolution Providing for Officers and Employees of the Senate and of the House for the Twenty-fourth Legislative Assembly, and Fixing Their Compensation.

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A resolution presented by Senator Miklethun, signed, C. W. Jaeger, chairman, and four other members of the Board of County Commissioners of Barnes County, requesting the taxation of State owned lands.

A like resolution presented by Senator Greene of Cavalier County, signed, Alfred Lindseth, chairman, and three other members of the Board of County Commissioners of Cavalier County.

A like resolution presented by Senator Nelson of Grand Forks, signed, I. H. Jeghum, chairman, and three other members of the Board of County Commissioners of Grand Forks County.

Referred to the Committee on Taxes and Tax Laws.

A petition presented by Senator Eastgate, signed, W. S.

Sundahl, Grand Forks, regarding suggestions on State election matters, with a view toward speeding election work at less expense.

Referred to the Committee on Elections.

A petition presented by Senator Brostuen, signed, John Kassens, and twenty-one others, asking legislation exempting farm homesteads from taxation.

Referred to the Committee on Taxes and Tax Laws.

A group of twenty-two telegrams and one letter were presented by Senator Brostuen, condemning any additional gas tax.

Referred to the Committee on Taxes and Tax Laws.

A resolution presented by Senator Greene of Cavalier County, signed, Alfred Lindseth, chairman, and three other members of the Board of County Commissioners of Cavalier County, requesting the restoration of motor vehicle license fees for road purposes.

Referred to the Committee on Highways.

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. 12. A Bill for an Act to Prohibit Marathon Dances, Walkathons, Skatathons, or any Endurance Contest and Providing Penalties for any Person, Firm, or Corporation Participating in, Attending or Promoting Such Contest, and Declaring an Emergency.

Also,

Senate Bill No. 31. A Bill for an Act to Amend and Re-enact Section 9163 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Appeals to the District Court.

Also,

Senate Bill No. 33. A Bill for an Act Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply with This Law.

Also,

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Section 7298, Compiled Laws of 1913, Relating to Holidays.

And find the same correctly engrossed.

THOMAS WHELAN,
Chairman.

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

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

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

Senate Bill No. 3. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Salary and, also, the Expenses of District Judges While Serving Outside of Their District and on the Supreme Bench.

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

In line 3 of the title strike out the following wording, "Serving Outside of Their District and on the Supreme Bench," and insert the following wording in lieu thereof, "Holding Court Outside the County in Which the Judges Reside and While Serving on the Supreme Bench."

In lines 4 and 5 of the printed bill, strike out the following wording, "Serving Outside of Their District and on the Supreme Bench," and insert the following wording in lieu thereof, "Holding Court Outside the County in Which the Judges Reside, and While Serving on the Supreme Bench."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 4. A Bill for an Act Making an Appropriation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

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 "\$4,000.00" and substitute the figures "\$2,000.00"

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 5. 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 Amendments There-to, and to Meet Other Requirements Prescribed by the Federal Statutes.

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

L. O. FREDRICKSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 8. 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 of 1913.

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

L. O. FREDRICKSON,
Chairman.

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

Senator Bonzer asked unanimous consent to withdraw Senate Bill No. 60.

Which request was granted.

Senator Miklethun asked unanimous consent to withdraw Senate Bill No. 41.

Which request was granted.

CONCURRENT RESOLUTION "J"

Introduced by Senator Mutchler

AMENDMENT TO THE CONSTITUTION

A Concurrent Resolution to Amend and Re-enact Section 176

of Article 11 of the Constitution of the State of North Dakota, as Amended by Article 29 of the Amendments Thereto, Relating to Taxation.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the following proposed amendment to Section 176 of Article 29 of the Constitution of the State of North Dakota is agreed to and that the same be submitted to the qualified electors of the state for approval or rejection, in accordance with the provisions of Section 202 of the Constitution of North Dakota, as amended:

Section 1. Amendment.) That Section 176 of Article 29 of the Constitution of the State of North Dakota is hereby amended and re-enacted to read as follows:

Section 176. Taxes shall be uniform upon the same class of property, including franchises within the territorial limits of the authority levying the tax. The legislature may by law exempt any or all classes of personal property from taxation and within the meaning of this section, fixtures, buildings and improvements of every character, whatsoever, upon land shall be deemed personal property. The property of the United States and of the state, county and municipal corporations and property used exclusively for schools, religious, cemetery, charitable or other public purposes shall be exempt from taxation; provided, however, the legislature may by law provide for the taxation of real estate acquired by the state or county, through foreclosure or tax proceedings. Except as restricted by this Article, the legislature may provide for raising revenue and fixing the situs of all property for the purpose of taxation. Provided, that all taxes and exemptions in force when this amendment is adopted, shall remain in force until otherwise provided by statute.

Referred to the Committee on Taxes and Tax Laws.

FIRST READING OF SENATE BILLS

Senator Nelson of Grand Forks introduced (by request):

Senate Bill No. 61. A Bill for an Act Defining, Licensing, and Regulating Dealers at Wholesale, Defining the Words "Produce," "Person," and "Commissioner"; Providing Procedure to Obtain a License, the Date of Expiration of Licenses, the Fee for License, and the Posting of License; Fixing the Amount of Bonds for Dealers at Wholesale, and Prescribing the Conditions of Bonds; Providing for the Filing of Commission Schedules, the Keeping of Records and the Report to Shippers by Dealers at Wholesale; Providing for Appeals from Rulings of the Commissioner and the Method of Taking Appeals; Providing for the Handling and Disposition of Money Received from License Fees; Imposing Certain Duties upon and Granting Certain Powers to the Commissioner of Agriculture, and Prescribing Penalties for the Violation of This Act.

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

Senator Gronvold introduced:

Senate Bill No. 62. A Bill for an Act to Repeal Chapter 150 of the Session Laws of 1933, Authorizing Crop Mortgages in Favor of U. S., Etc., Including Bank of North Dakota.

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

Committee on Appropriations introduced:

Senate Bill No. 63. A Bill for an Act Providing for the Appointment and Removal at Pleasure of a Procurement Officer as Required Under the Rules and Regulations of the Act of Congress. Known as the Emergency Conservation Work Act, Fixing His Salary and the Payment Thereof, Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

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

Senator Gronvold introduced:

Senate Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 9 of the Session Laws of North Dakota of 1933, Relating to Wolf Bounty; and Declaring an Emergency.

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

Committee on Appropriations introduced:

Senate Bill No. 65. A Bill for an Act Making an Appropriation to Provide for the Payment to the City of Bismarck, North Dakota, Its Actual Expenses Incurred for the Use of the Municipal Auditorium and World War Memorial Building by the 1933 Legislative Assembly for Labor, Steamheat, Light and Power, Water, Janitors and Washroom Supplies, and Repairs and Miscellaneous Items.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 7. 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 second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Absent and not voting:

Messrs.
Fine
Matthaei

So the bill passed and the title was agreed to.

Senate Bill No. 9. 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 Section 11302 of the Supplement to the 1913 Compiled Laws of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 47; nays, 2; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fowler	McDonald	Watt

Messrs.	Messrs.	Messrs.
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Absent and not voting:

Messrs.
 Fine
 Matthaei

So the bill passed and the title was agreed to.

Senator Trout moved that Senate Bill No. 35 be re-referred to the Committee on Taxes and Tax Laws.

Which motion was lost.

Senate Bill No. 35. A Bill for an Act to Amend and Re-enact Section 2868a1 Supplement to the Compiled Laws of 1913, Relating to the Levy of Tax by the County Commissioners Upon Being Petitioned for the Purpose of Creating a Fund for the Extermination of Grasshoppers and for the Disposition of any Unexpended Balance Remaining in Such Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Erickson	Lind	Topp
Ettestad	Lowe	Trovatten
Fowler	Marshall	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	
Gronvold	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Peterson	Whelan
Eastgate	Trout	Young
Lynn		

Absent and not voting:

Messrs.

Fine

Matthaei

So the bill passed and the title was agreed to.

Senate Bill No. 12. A Bill for an Act to Prohibit Marathon Dances, Walkathons, Skatathons, or any Endurance Contest and Providing Penalties for any Person, Firm, or Corporation Participating in, Attending or Promoting Such Contest, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.

Bonzer

Braaten

Brostuen

Cain

Coffey

Crandall

Drew

Dubay

Eastgate

Erickson

Ettestad

Fowler

Fredrickson

Greene, Cavalier

Greene, Stutsman

Gronvold

Messrs.

Handley

Johnson

Jones

Kamrath

Kolpin

Kroeber

Lemke

Lind

Lowe

Lynn

Marshall

McDonald

McGillic

Miklethun

Mutchler

Nelson, Barnes

Messrs.

Nelson, Grand Fks.

Owings

Peterson

Strehlow

Stucke

Thatcher

Thorson

Topp

Trout

Trovatten

Vinje

Watt

Whelan

Wog

Young

Absent and not voting:

Messrs.

Fine

Matthaei

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Whelan moved that the vote by which Senate Bill No. 12 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Bonzer: "Inasmuch as the W. C. T. U. and Ministerial Association of the State of North Dakota are 100% for this Bill, I vote 'aye'."

Senate Bill No. 31. A Bill for an Act to Amend and Re-enact Section 9163 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Appeals to the District Court.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Absent and not voting:

Messrs.
 Fine
 Matthaei

So the bill passed and the title was agreed to.

Senate Bill No. 33. A Bill for an Act Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply with This Law.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings

Messrs.	Messrs.	Messrs.
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fine	Matthaei	Trovatte.

So the bill passed and the title was agreed to.

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Section 7298, Compiled Laws of 1913, Relating to Holidays.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Grand Fks.
Brostuen	Handley	Owings
Cain	Johnson	Peterson
Coffey	Kroeber	Strehlow
Crandall	Lind	Topp
Drew	Lowe	Trovatten
Eastgate	Lynn	Vinje
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Stutsman	Mutchler	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Kamrath	Stucke
Dubay	Kolpin	Thatcher
Erickson	Lemke	Thorson
Ettestad	Marshall	Trout
Greene, Cavalier	Miklethun	Watt
Jones	Nelson, Barnes	

Absent and not voting:

Messrs.

Fine

Matthaei

So the bill passed and the title was agreed to.

Senator Fowler moved to amend Senate Bill No. 40, as follows: In the title, strike out the period after the word "otherwise" and insert the language, "and Declaring an Emergency." Also, add "Section 2. An emergency is hereby declared to exist and this Bill shall be in full force and effect from and after its passage and approval."

Which motion prevailed.

Senator Fowler moved that the rules be suspended and that Senate Bill No. 40, as amended, be deemed an emergency and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 40. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by the Wahpeton Military Training School as Mortgagor to the State of North Dakota as Mortgagee, Dated October 4, 1910, Filed for Record in the Office of the Register of Deeds of Richland County, North Dakota, on October 12, 1910, at 11:30 A. M. and Recorded in Book 69 of Mortgages, at Page 176, and Covering Lots Numbered Sixteen (16) and Seventeen (17) in Block Thirty-seven (37) of the Original Townsite of the City of Wahpeton, Richland County, North Dakota, Insofar as Said Mortgage Is a Lien Upon and Affects Said Lot Sixteen (16) But Not Otherwise, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.

Bonzer

Braaten

Brostuen

Cain

Coffey

Crandall

Drew

Dubay

Eastgate

Erickson

Ettestad

Messrs.

Handley

Johnson

Jones

Kamrath

Kolpin

Kroeber

Lemke

Lind

Lowe

Lynn

Marshall

Messrs.

Nelson, Grand Fks.

Owings

Peterson

Strehlow

Stucke

Thatcher

Thorson

Topp

Trout

Trovatten

Vinje

Messrs.	Messrs.	Messrs.
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Absent and not voting:

Messrs.
Fine
Matthaei

So the bill passed and the title was agreed to, and the emergency clause declared carried.

SENATE CONCURRENT RESOLUTION "H"

Requesting Congress of the United States to Enact Legislation to Provide for the Immediate Payment of World War Veterans' Adjusted Compensation Certificates; Cancelling Interest; Refunding Interest Paid.

Was read the second time.

ROLL CALL

The question being on the adoption of Senate Concurrent Resolution "H," 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.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Absent and not voting:

Messrs.
Fine
Matthaei

So the resolution was adopted.

FIRST READING OF HOUSE BILLS

HOUSE CONCURRENT RESOLUTION No. A-1

Was read the first time and referred to the Committee on Agriculture.

HOUSE CONCURRENT RESOLUTION No. A-2

"Memorial to Our President and Congress"

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927 and Chapter 74, Laws of 1929.

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

House Bill No. 24. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs, Insurance and Upkeep of Grounds.

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

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Carrying out the Provisions of Chapter 203, Session Laws 1919, and Chapter 115, Session Laws 1921, the Same Being Sections 1471b1 and 1471b9 and 1471c1 to 1471c8 of the Supplement to the 1913 Compiled Laws of North Dakota.

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

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

T. O. Kraabel, Fargo; Robert Chesrown, Linton; Joe S. Fischer, Strasburg; Hon. L. H. Bratton, Rugby; John Conrad, Erie; W. S. Butler, Grand Forks, and Former Governor George Shafer, Bismarck.

Senator Watt moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

EIGHTEENTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 25, 1935.

The Senate convened pursuant to adjournment, President Welford presiding.

Prayer by Chaplain, Rev. G. Adolph Johns.

All Senators were present except Senators Fine and Matthaei.

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 Seventeenth day and found the same to be correct.

And recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A resolution presented by Senator Cain, signed, H. D. Leonard, president, representing fifteen hundred members of the Stark County Old Age Pension Club, asking that a concurrent resolution be passed in favor thereof.

Referred to the Committee on State Affairs.

Petitions in the form of thirteen telegrams, presented by Senator Brostuen, condemning any additional gas tax.

Referred to the Committee on Taxes and Tax Laws.

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. 3. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Salary and, also, the Expenses of District Judges While Holding Court Outside the County in Which the Judges Reside and While Serving on the Supreme Bench.

Also,

Senate Bill No. 4. A Bill for an Act Making an Appropriation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

And find the same correctly engrossed.

THOMAS WHELAN,
Chairman.

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

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

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

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 916, of the Compiled Laws of North Dakota for the Year 1913, Pertaining to Payment of Expenses of Delegates to National Conventions.

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

L. O. FREDRICKSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 2. A Bill for an Act Making an Appropri-

ation to Provide for the Payment of a Deficit in the Clerk-hire, Travel and General Expenses of the Office of the Governor.

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

In line 6 of the printed bill, strike out the figures "\$1,200.00" and substitute the figures "\$900.00," and in line 18 of the printed bill, strike out the figures "\$4,372.65" and substitute the figures "\$4,072.65."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that Senate Bill No. 2 be referred to the Committee on Appropriations.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
January 25, 1935.

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

House Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws of North Dakota of the Year 1929, Relating to the Custodian of the State Capitol and Grounds and Describing his Powers, Duties and Compensation; and Appointing Such Custodian.

Also,

House Bill No. 26. A Bill for an Act Making an Appropriation for the Per Diem, Salaries, and General Expenses of the State Livestock Sanitary Board.

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

Also return:

SENATE CONCURRENT RESOLUTION "C"

Relating to Charges Made by Telephone Companies in Cities for Phone Service.

Which the House has adopted.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
January 25, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 7. 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.

Also,

Senate Bill No. 9. 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 Section 11302 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 35. A Bill for an Act to Amend and Re-enact Section 2868a1 Supplement to the Compiled Laws of 1913, Relating to the Levy of Tax by the County Commissioners Upon Being Petitioned for the Purpose of Creating a Fund for the Extermination of Grasshoppers and for the Disposition of any Unexpended Balance Remaining in Such Fund.

Also,

Senate Bill No. 12. A Bill for an Act to Prohibit Marathon Dances, Walkathons, Skatathons, or any Endurance Contest and Providing Penalties for any Person, Firm, or Corporation Participating in, Attending or Promoting Such Contest, and Declaring an Emergency.

Also,

Senate Bill No. 31. A Bill for an Act to Amend and Re-enact Section 9163 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Appeals to the District Court.

Also,

Senate Bill No. 33. A Bill for an Act Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply with This Law.

Also,

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Section 7298, Compiled Laws of 1913, Relating to Holidays.

Also,

Senate Bill No. 40. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by the Wahpeton Military Training School as Mortgagor to the State of North Dakota as Mortgagee, Dated October 4, 1910, Filed for Record in the Office of the Register of Deeds of Richland County, North Dakota, on October 12, 1910, at 11:30 A. M. and Recorded in Book 69 of Mortgages, at Page 176, and Covering Lots Numbered Sixteen (16) and Seventeen (17) in Block Thirty-seven (37) of the Original Townsite of the City of Wahpeton, Richland County, North Dakota, Insofar as Said Mortgage Is a Lien Upon and Affects Said Lot Sixteen (16) But Not Otherwise, and Declaring an Emergency.

Which the Senate has passed.

SENATE CONCURRENT RESOLUTION "H"

Requesting Congress of the United States to Enact Legislation to Provide for the Immediate Payment of World War Veterans' Adjusted Compensation Certificates; Cancelling Interest; Refunding Interest Paid.

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

SENATE CONCURRENT RESOLUTION "K"

Introduced by Senators Erickson, Peterson
and Ettestad

Authorizing the Board of Capitol Commissioners to Use Part of the Capitol Building Funds to Purchase Chairs to Be Used in and About the Capitol Building.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING: That

WHEREAS: There remains an unexpended balance in the Capitol Building Fund, and

WHEREAS; This legislative assembly is in immediate need of 200 folding chairs and 12 benches, with leather cushions to match Senate and House furniture, and there are no other funds available for the purchase of said chairs:

THEREFORE, Be It Resolved: By the Twenty-fourth Legislative Assembly of the State of North Dakota, assembled in its regular biennial session, that the Capitol Building Commissioners be, and they are hereby authorized and directed to purchase 200 folding chairs at a total price of \$490.00, and 12 benches for the House and Senate at a total cost not to exceed \$594.00, and to pay for said chairs out of unexpended balance remaining in the Capitol Building Funds, said

chairs to be used in the various legislative committee rooms, or such other parts of the Capitol Building as the Board of Capitol Building Commissioners shall direct.

Referred to the Committee on Appropriations.

FIRST READING OF SENATE BILLS

Committee on Taxes and Tax Laws introduced:

Senate Bill No. 66. A Bill for an Act to Provide for the Creation of a North Dakota Tax Survey Commission, Defining its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

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

Senator Brostuen moved that Senate Bill No. 66 be placed on the calendar.

Which motion prevailed.

Senator Johnson moved that Senate Bill No. 3 be amended as follows:

Strike out the period at the end of the title, insert in lieu thereof a comma and add the following language, "And Declaring an Emergency."

Which motion prevailed.

Senator Fredrickson moved that Senate Bill No. 3 be referred to the Committee on Appropriations for further amendments.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 4. A Bill for an Act Making an Appropriation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher

Messrs.	Messrs.	Messrs.
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Absent and not voting:

Messrs.
Fine
Matthaei

So the bill passed and the title was agreed to.

Senate Bill No. 5. 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 Amendments There-to, and to Meet Other Requirements Prescribed by the Federal Statutes.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Ettestad	Lynn	Trovatten
Fowler	Marshall	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Those voting in the negative were:

Messrs.
Owings
Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Fine	Matthaei

So the bill passed and the title was agreed to.

Senate Bill No. 8. 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 of 1913.

Was read the second time.

ROLL CALL

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.
Bonzer	Johnson	Nelson, Grand Fks.
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Cain	Kolpin	Strehlow
Coffey	Kroeber	Stucke
Crandall	Lemke	Thatcher
Drew	Lind	Thorson
Dubay	Lowe	Topp
Eastgate	Lynn	Trout
Ettestad	Marshall	Trovatten
Fowler	McDonald	Vinje
Fredrickson	McGillic	Watt
Greene, Cavalier	Miklethun	Whelan
Greene, Stutsman	Mutchler	Wog
Gronvold	Nelson, Barnes	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Fine	Matthaei

So the bill passed and the title was agreed to.

Senator Brostuen asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Brostuen moved that the action taken to place Senate Bill No. 66 on the calendar be reconsidered.

Which motion prevailed.

Senator Brostuen moved that further action on Senate Bill No. 66 be deferred until the Bill has been printed, which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber,
Bismarck, N. D.,
Jan. 25, 1935.

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

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Section 34, Compiled Laws of 1913, Relating to Officers and Employees and Compensation Thereof, of the Legislative Assembly, and Declaring an Emergency.

Which the House has passed unchanged.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

REPORT OF SELECT COMMITTEES

Mr. President: Your committee on Printing of Bills and Journals have met with a like committee from the House and beg leave to make the following report.

We recommend that an additional 500 copies of the Journal be printed.

OLE ETTESTAD,
Chairman.

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

Senator Bonzer asked unanimous consent to return to the Seventh Order of Business, which request was granted.

Senator Bonzer moved that a roll call be taken on the report of the Select Committee covering the printing of 500 additional Journals.

Which motion prevailed.

ROLL CALL

The question being on the adoption of the report of the Select Committee covering the printing of 500 additional Journals, 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.
Bonzer	Johnson	Nelson, Grand Fks.
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson

Messrs.	Messrs.	Messrs.
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fowler	McDonald	Vinje
Fredrickson	McGillic	Watt
Greene, Cavalier	Miklethun	Whelan
Greene, Stutsman	Mutchler	Wog
Gronvold	Nelson, Barnes	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Fine	Matthaei

So the report was adopted.

Senator Fowler moved that Senate Bill No. 58 be referred to the Committee on Enrollment and Engrossment for immediate enrollment.

Which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws of North Dakota of the Year 1929, Relating to the Custodian of the State Capitol and Grounds and Describing his Powers, Duties and Compensation; and Appointing Such Custodian.

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

House Bill No. 26. A Bill for an Act Making an Appropriation for the Per Diem, Salaries, and General Expenses of the State Livestock Sanitary Board.

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

Senator Thorson moved that the Senate recess for ten minutes.

Which motion prevailed.

The Senate re-convened, pursuant to recess taken, President Welford presiding.

The President announced that the Senate was on the Seventh Order of Business.

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. 58. A Bill for an Act to Amend and Re-enact Section 34, Compiled Laws of 1913, Relating to Officers and Employees and Compensation Thereof, of the Legislative Assembly, and Declaring an Emergency.

And find the same correctly enrolled.

THOMAS WHELAN,
Chairman.

Senator Whelan 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. 58. A Bill for an Act to Amend and Re-enact Section 34, Compiled Laws of 1913, Relating to Officers and Employees and Compensation Thereof, of the Legislative Assembly, and Declaring an Emergency.

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

MESSAGE TO THE HOUSE

Senate Chamber.
Bismarck, N. D.,
January 25, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Section 34, Compiled Laws of 1913, Relating to Officers and Employees and Compensation Thereof, of the Legislative Assembly, and Declaring an Emergency.

Which the President has signed.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Watt moved that the vote by which the report of the Select Committee to print 500 additional copies of the Journal, was passed, be re-considered.

Which motion prevailed.

Senator Watt moved that the report of the Joint Committee as adopted January 14th, on page 11 of the Journal, be amended to include 500 additional copies.

Which motion prevailed.

Senator Watt moved that the original report as amended be adopted by roll call.

ROLL CALL

The question being on the adoption of the amended report of the Committee on Printing, 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.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.
Brostuen	Matthaei
Fine	Stucke
Kroeber	

So the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
January 25, 1935.

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

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Section 34, Compiled Laws of 1913, Relating to Officers and Employees and Compensation Thereof, of the Legislative Assembly, and Declaring an Emergency.

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

MESSAGE TO THE GOVERNOR

Bismarck, North Dakota,
January 25, 1935.

To the Honorable Thomas H. Moodie,
Governor of the State of North Dakota,
Bismarck, North Dakota.

Dear Governor:

I have the honor to transmit herewith:

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Section 34, Compiled Laws of 1913, Relating to Officers and Employees and Compensation Thereof, of the Legislative Assembly, and Declaring an Emergency.

Which the President of the Senate and the Speaker of the House of Representatives have signed and your favorable consideration at your early convenience will be greatly appreciated.

Respectfully submitted,

F. E. TUNELL,
Secretary.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
January 25, 1935.

Mr. Speaker: I have the honor to transmit the following bills:

Senate Bill No. 8. 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 of 1913.

Also,

Senate Bill No. 5. 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 Amendments There-to, and to Meet Other Requirements Prescribed by the Federal Statutes.

Also,

Senate Bill No. 4. A Bill for an Act Making an Appropriation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

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

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Handley asked unanimous consent to be on the Seventh Order of Business.

Which request was granted.

Senator Handley moved that all absent Senators be excused.

Which motion prevailed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Louis Whelan, St. Thomas; John Ogren, Kulm; Nellie Dougherty and R. L. Dierdorff, Minot; J. H. Burns, Surrey; S. J. Doyle, Fargo.

Senator Miklethun moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

NINETEENTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 26, 1935.

The Senate convened pursuant to adjournment, President Welford presiding.

Prayer by Chaplain, Rev. Walter E. Vater.

Roll call: All Senators were present except Senators Cain, Fine, Jones, Kamrath, Kolpin, Lemke, Lynn, Matthaei, Mutchler and Topp.

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 Eighteenth day and found the same to be correct.

And recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

Senator Brostuen moved that all absent Senators be excused.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
January 26, 1935.

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

House Bill No. 38. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

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

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

PETITIONS AND RESOLUTIONS

The following petitions and resolutions were received and read from the desk:

A resolution presented by Senator Young, signed, Harry Jeunod and 712 other citizens of LaMoure County, asking favorable action on House Concurrent Resolution "A-1."

Referred to the Committee on Taxes and Tax Laws.

A group of four telegrams and one letter presented by Senator Brostuen, condemning any additional gas tax.

Referred to the Committee on Taxes and Tax Laws.

A petition, presented by Senator Whelan, signed, D. J. Erlendson, advising changes in the school laws.

Referred to the Committee on Education.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

January 25, 1935.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Section 34, Compiled Laws of 1913, Relating to Officers and Employees, and Compensation Thereof, of the Legislative Assembly and Declaring an Emergency.

Very truly yours,

THOS. H. MOODIE,
Governor.

REPORT OF STANDING COMMITTEES

The Committee on Agriculture made the following report:

Mr. President: Your Committee on Agriculture to whom was referred:

Senate Bill No. 52. A Bill for an Act Creating a Federated, Legislative, Co-operative Agricultural Association by Co-operation with Other Surplus Producing States of the

Union, Describing the Manner of Forming the Same, the Purposes Thereof; Making an Appropriation Therefor, and Declaring an Emergency.

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

HERMAN THORSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 2. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerk-hire, Travel and General Expenses of the Office of the Governor.

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

Strike out the period at the end of the title, insert in lieu thereof a comma and add the following language, "and Declaring an Emergency."

In line 3 of the printed bill, strike out the figures "\$4,372.65" and insert in lieu thereof the figures "\$4,072.65."

In line 6 of the printed bill, strike out the figures "\$1,200.00" and insert in lieu thereof the figures "\$900.00."

In line 18 of the printed bill, strike out the figures "\$4,372.65" and insert in lieu thereof the figures "\$4,072.65."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 3. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Salary and, also, the Expenses of District Judges While Holding Court Outside the County in Which the Judges Reside and While Serving on the Supreme Bench.

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

In line 3 of the title strike out the following wording: "Serving Outside of Their District and," and insert in lieu thereof the wording: "Holding Court Outside the County in Which the Judges Reside, and While Serving." At the end of the title strike out the period, insert in lieu thereof a comma and add the following wording: "and Declaring an Emergency."

In lines 4 and 5 of the printed bill strike out the following wording: "Serving Outside of Their District and," and insert in lieu thereof the wording: "Holding Court Outside the County in Which the Judges Reside, and While Serving."

In lines 7 and 8 of the printed bill, strike out the following wording: "Serving Outside of Their District and," and insert in lieu thereof the wording: "Holding Court Outside the County in Which the Judges Reside and While Serving."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

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

The Committee on Agriculture made the following report:

Mr. President: Your Committee on Agriculture to whom was referred:

HOUSE CONCURRENT RESOLUTION A-1

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

HERMAN THORSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

SENATE CONCURRENT RESOLUTION "K"

Authorizing the Board of Capitol Commissioners to Use Part of the Capitol Building Funds to Purchase Chairs to Be Used in and About the Capitol Building.

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

L. O. FREDRICKSON,
Chairman.

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

Senator Watt moved that Senate Bill No. 52 be re-referred to the Committee on Appropriations.

Which motion prevailed.

FIRST READING OF SENATE BILLS

Senator Miklethun introduced (by request):

Senate Bill No. 67. A Bill for an Act to Provide for the Removal of Buildings, Windmills, or Other Improvements of a Temporary or Permanent Character, Except Fences, Which Are Placed Upon Lands After the Said Lands Have Been Encumbered, and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

Senator Miklethun introduced:

Senate Bill No. 68. A Bill for an Act Amending and Re-enacting Sections 1, 4, 6 and 7 of Chapter 199 of the Session Laws of 1933, Establishing and Creating the North Dakota Regulatory Department, Providing for Appointment of a Director, Assistant Director and Seven Inspectors of said Regulatory Department, Fixing Their Salaries and Expenses, Providing for the Deposit of All Moneys Collected by Said Regulatory Department in a Revolving Fund to Be Designated as the "State Regulatory Fund" and the Payment of All Salaries and Expenses Out of Such Fund Upon Allowance by the State Auditing Board, for the Transfer Monthly of Part of Said Fund to the General Fund of the State. Providing for the Duties of Said Director, Assistant Director and Expenses of Said Department, Transferring to Said Regulatory Department from the Officers Now Charged Therewith the Enforcement of Certain Regulatory Laws of This State, Imposing Certain Duties as to Inspection and Licensing of Weights and Measures and as to Collection of Certain Taxes, Providing for Additional Help and for Purchase of Equipment for Said Department, Requiring Officers and Board Superseded by Said Department to Account for and Deliver Books and Equipment of Their Office, and Repealing All Acts or Parts of Acts in Conflict Herewith, Declaring an Emergency and Providing for Transfer of Certain Unexpended Funds.

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

Senators Nelson of Grand Forks, Nelson of Barnes, Fowler, and Green of Cavalier introduced:

Senate Bill No. 69. A Bill for an Act Providing the Manner of Holding and Fixing the Date for Annual School Elections; Also Providing How and When Reports of Clerk and Treasurer Shall Be Made and the Date When Annual Budget and Levy Shall Be Made.

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

Senator Thorson introduced:

Senate Bill No. 70. A Bill for an Act to Require Non-Resident Teachers to Attend a Higher Institution of Learning Within the State for at Least Eight Weeks Before Being Eligible to Teach Within the State.

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

SENATE CONCURRENT RESOLUTION "L"

Introduced by Senator Bonzer

LEGISLATIVE ASSEMBLY

Concurrent Resolution for an Amendment to Sections 25, 26, 27, 28, 29, 30, 31, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47, 48, 49, 50, 53, 54, 56, 60, 65, 66, and 67 of Article 2 of the Constitution of the State of North Dakota, Relating to the Legislative Department, Providing for a Legislature to Consist of One Body, the Membership Thereof to Consist of One Representative from Each Legislative District as Said District May Hereafter be Designated; Repealing Sections 32, 33, 34, 35, 36, 51, 52, 57, and 58 of Said Article 2.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE CONCURRING:

That the following proposed amendment to the Constitution of the State of North Dakota is agreed to and the same be submitted to the qualified voters of the State for approval, or rejection, in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota.

AMENDMENT: That Section 25 and other Sections of Article 2 of the Constitution of the State of North Dakota be, and the same is hereby amended and re-enacted to read as follows:

SECTION 25. Commencing with the regular session of the Legislature to be held in January, 1939, the legislative authority of the state shall be vested in a Legislature consisting of one house. The people, however, reserve the power, first, to propose measures and to enact or reject the same at the polls; second, to approve or reject at the polls any measures or any item, section, part or parts of any measure enacted by the legislature.

The first power reserved is the initiative. Ten thousand electors at large may propose any measure by initiative petition. Every such petition shall contain the full text of the measure and shall be filed with the Secretary of State not less than ninety days before the election at which it is to be voted upon.

The second power reserved is the referendum. Seven thousand electors at large may, by referendum petition, suspend the operation of any measure enacted by the legislature, except an emergency measure. But the filing of a referendum petition against one or more items, sections or parts of any measure shall not prevent the remainder from going into effect. Such petition shall be filed with the Secretary of State not later than ninety days after the adjournment of the session of the legislature at which such measure was enacted.

Each measure initiated by or referred to the electors, shall be submitted by its ballot title, which shall be placed upon the ballot by the Secretary of State and shall be voted upon at any state-wide election designated in the petition, or at any special election called by the Governor. The result of the vote upon any measure shall be canvassed and declared by the board of canvassers.

Any measure, except an emergency measure submitted to the electors of the State, shall become a law when approved by a majority of the votes cast thereon. And such law shall go into effect on the thirteenth day after the election, unless otherwise specified in the measure.

If a referendum petition is filed against an emergency measure, such measure shall be a law until voted upon by the electors, and if it is then rejected by a majority of the votes cast thereon, it shall be thereby repealed. Any such measure shall be submitted to the electors at a special election if so ordered by the Governor or if the referendum petition filed against it shall be signed by thirty thousand electors at large. Such special election shall be called by the Governor and shall be held not less than one hundred nor more than one hundred thirty days after the adjournment of the session of the legislature.

The Secretary of State shall pass upon each petition, and if he finds it insufficient he shall notify the "committee for the petitioners" and allow twenty days for correction or amendment. All decisions of the Secretary of State in regard to any such petition shall be subject to review by the Supreme Court. But if the sufficiency of such petition is being reviewed at the time the ballot is prepared, the Secretary of State shall place the measure on the ballot and no subsequent decision shall invalidate such measure if it is at such election approved by a majority of the votes cast thereon. If proceedings are brought against any petition upon any ground, the burden of proof shall be upon the party attacking it.

No law shall be enacted limiting the number of copies of a petition which may be circulated. Such copies shall become a part of the original petition when filed or attached thereto. Nor shall any law be enacted prohibiting any person from giving or receiving compensation for circulating the petition, nor in any manner interfering with the freedom in securing signatures to petitions.

Each petition shall have printed thereon a ballot title which shall fairly represent the subject matter of the measure,

and the names of at least five electors who shall constitute the "committee for the petitioners" and who shall represent and act for the petitioners.

All measures submitted to the electors shall be published by the state as follows: "The Secretary of State shall cause to be printed and mailed to each elector a publicity pamphlet, containing a copy of each measure together with its ballot title to be submitted at any election. Any citizen, or the officers of any organization may submit to the Secretary of State, for publication in such pamphlet, arguments concerning any measure therein upon first subscribing their names and addresses thereto and paying the fee therefor, which, until otherwise fixed by the legislature, shall be the sum of two hundred dollars per page."

The enacting clause of all measures initiated by the electors, shall be: "Be it enacted by the people of the State of North Dakota." In submitting measures to the electors, the Secretary of State and all other officials shall be guided by the election laws until additional legislation shall be provided.

If conflicting measures initiated by or referred to the electors shall be approved by a majority of the votes cast thereon, the one receiving the highest number of affirmative votes shall become the law.

The word "measure" as used herein shall include any law or amendment thereto, resolution, legislative proposal or enactment of any character.

The veto power of the Governor shall not extend to the measures initiated by or referred to the electors. No measures enacted or approved by a vote of the electors shall be repealed or amended by the legislature, except upon a ye and nay vote upon roll call of two-thirds of all the members elected.

This section shall be self-executing and all of its provisions shall be treated as mandatory. Laws may be enacted to facilitate its operation, but no law shall be enacted to hamper, restrict or impair the exercise of the rights herein reserved to the people.

SECTION 26. The Legislature shall consist of not less than thirty nor more than fifty members.

SECTION 27. The members of the Legislature shall be elected for a period of four years.

SECTION 28. No person shall be a member of the Legislature who is not a qualified elector of the district in which he may be chosen and who shall not have attained the age of twenty-five years, and have been a resident of the state for two years next preceding his election.

SECTION 29. The Legislative Assembly convening in January, 1937, shall fix the number of members to be elected and divide the state into as many districts as there are members, which districts, as nearly as may be, shall be

equal to each other in the number of inhabitants entitled to representation. Each district shall be composed of compact and contiguous territory. The districts as thus ascertained and determined shall continue until changed by law.

SECTION 30. The Legislative districts shall be numbered consecutively from one upward, according to the number of districts prescribed, and the legislative members shall be divided into two classes: Those in the district designated by even numbers shall constitute one class and those elected in districts designated by odd numbers shall constitute one class. The legislative members of first class mentioned elected in 1936, shall hold their office for two years and those of the other class shall hold their office for four years, and thereafter the members shall be elected for four years.

SECTION 31. The legislative members at the beginning and close of each session, and at such other times as may be necessary, shall elect one of their members president pro tempore, who may take the place of the lieutenant governor under the rules prescribed by law.

SECTION 37. No judge or clerk of any court, secretary of state, attorney general, register of deeds, sheriff, or any person holding any office of profit under this state, except in the militia or the office of attorney at law, notary public, or justice of peace, and no person holding any office of profit or honor under any foreign government or under the government of the United States, except postmasters whose annual compensation shall not exceed \$300.00, shall hold any office or be a member of the legislature.

SECTION 38. No member of the legislature expelled for corruption and no person convicted of bribery, perjury or other infamous crimes shall be eligible as a member of the legislature or to any office thereof.

SECTION 39. No member of the legislature shall, during the term to which he was elected be appointed or elected to any civil office in this state, which has been created or the emoluments of which shall have been increased, during the term for which he was elected; nor shall any member receive any civil appointment from the governor or governor and legislature, during the term for which he shall have been elected.

SECTION 40. If any person elected to the legislature shall offer or promise to give his vote or influence, in favor of, or against any measures or proposition pending or proposed to be introduced into the legislature, in consideration, or upon conditions, that any person elected to the same assembly will give, or will promise or assent to give, his vote or influence in favor of, or against any other measure or proposition, pending or proposed to be introduced into such legislature, the person making such offer or promise shall be deemed guilty of solicitation of bribery. If any member of the legislature shall give his vote or influence for or against any measure or proposition, pending or proposed to be introduced into such assembly, or offer, promise or assent to do so upon condition that any other member

will give, promise or assent to give his vote or influence in favor of or against any other such measure or proposition pending or proposed to be introduced into such assembly or in consideration that any other member hath given his vote or influence, for or against any other measure or proposition in such assembly, he shall be deemed guilty of bribery. And any person a member of the legislature or person elected thereto, who shall be guilty of either such offenses, shall be expelled, and shall not thereafter be eligible to the legislature, and, on conviction thereof in the civil courts, shall be liable to such further penalty as may be prescribed by law.

SECTION 42. The members of the legislature shall in all cases except treason, felony and breach of the peace, be privileged from arrest during their attendance at the sessions and in going to or returning from the same. For words used in any speech or debate in the session, they shall not be questioned in any other place.

SECTION 43. Any member who has a personal or private interest in any measure or bill proposed or pending before the assembly, shall disclose the fact, and shall not vote thereon without the consent of the other members.

SECTION 44. The governor shall issue writs of election to fill such vacancies as may occur in the legislature.

SECTION 45. Each member of the legislature shall receive as compensation for his services for each session, \$10.00 per day and ten cents for each mile of necessary travel in going to and returning from the place of the meeting of the legislature on the most usual route.

SECTION 45a. Total salary paid to all members of the Legislature not to exceed the sum of Forty-seven Thousand, Five Hundred Dollars in any one year.

SECTION 46. A majority of the members of the Legislature shall constitute a quorum, but a smaller number may adjourn from day to day, and may compel the attendance of absent members in such a manner and under such penalties, as may be prescribed by law.

SECTION 47. The Legislature shall be the judge of the election returns and qualifications of its own members.

SECTION 48. The Legislature shall have the power to determine the rules of proceedings and punish its members or other persons for contempt or disorderly behavior in its presence; to protect its members against violence or offers of bribes or private solicitation, and with the concurrence of two-thirds to expel a member; and shall have all other powers necessary and usual in the legislative assembly of a free state. But no imprisonment shall continue beyond thirty days. Punishment for contempt or disorderly behavior shall not bar a criminal prosecution for the same offense.

SECTION 49. The Legislature shall keep a journal of its proceedings and the yeas and nays on any question shall be taken and entered on the journal at the request of one-sixth of those present.

SECTION 50. The Sessions of the Legislature and of the Committee of the Whole shall be open unless the business is such as ought to be kept secret.

SECTION 53. The legislative assembly shall meet at the seat of Government at twelve o'clock noon on the first Tuesday after the first Monday in January, in the year next following the election of the members thereof, and on extraordinary occasions may be convened upon call of the president pro tempore.

SECTION 54. In all elections to be made by the legislature the members shall vote viva voce, and their votes shall be entered in the journal.

SECTION 56. No regular session of the legislature shall exceed sixty days, except in case of impeachment.

SECTION 60. No bill for the appropriation of money, except for the expenses of the government, shall be introduced after the fortieth day of the session, except by unanimous consent of the legislature.

SECTION 65. No bill shall become a law except by a vote of a majority of all the members-elect nor unless, on its final passage, the vote taken by yeas and nays, and the names of those voting be entered on the journal.

SECTION 66. The presiding officer shall, in the presence of the assembly, sign all bills and resolutions passed by the legislature; immediately before such signing their title shall be publicly read and the fact of signing shall be at once entered on the journal.

SECTION 67. No act of the legislature shall take effect until July 1st after the close of the session, unless the legislature by a vote of two-thirds of the members present and voting shall declare it an emergency measure, which declaration shall be set forth in the act; provided, however, that no act granting a franchise or special privilege, or act creating any vested right or interest other than in the state, shall be declared an emergency measure. An emergency measure shall take effect and be in force from and after its passage and approval by the governor.

REPEAL: That Sections 32, 33, 34, 35, 36, 51, 52, 57, and 58 of Article 2 of the Constitution are hereby repealed.

Referred to the Committee on State Affairs.

SECOND READING OF SENATE BILLS

Senator Johnson moved that Senate Bill No. 55 be amended as follows:

In lines eleven and twelve of the printed Bill, strike out the words, "to a National convention which nominated candidates for president and vice-president."

The question was put and the President announced he was in doubt.

Senator Stucke called for a division and a division revealed that the motion was lost.

Senator Brostuen moved that Senate Bill No. 55 be amended by changing the word "nominated" in lines eleven and twelve of the printed bill to "nominates."

Which motion prevailed.

Senator Johnson moved that the rules be suspended and that Senate Bill No. 55, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 916, of the Compiled Laws of North Dakota for the Year 1913, Pertaining to Payment of Expenses of Delegates to National Conventions.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Greene, Stutsman	Owings
Braaten	Gronvold	Peterson
Brostuen	Handley	Strehlow
Coffey	Johnson	Stucke
Crandall	Kroeber	Thatcher
Drew	Lind	Thorson
Dubay	Lowe	Trovatten
Eastgate	Marshall	Vinje
Erickson	McDonald	Watt
Ettestad	McGillic	Whelan
Fowler	Miklethun	Wog
Fredrickson	Nelson, Barnes	Young
Greene, Cavalier	Nelson, Grand Fks.	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Kolpin	Mutchler
Fine	Lemke	Topp
Jones	Lynn	Trout
Kamrath	Matthaei	

So the bill passed and the title was agreed to.

SENATE CONCURRENT RESOLUTION "K"
 Authorizing the Board of Capitol Commissioners to Use Part of the Capitol Building Funds to Purchase Chairs to Be Used in and About the Capitol Building.

Was read the second time.

ROLL CALL

The question being on the adoption of Senate Concurrent Resolution "K," 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.
Bonzer	Greene, Stutsman	Owings
Braaten	Gronvold	Peterson
Brostuen	Handley	Strehlow
Coffey	Johnson	Stucke
Crandall	Kroeber	Thatcher
Drew	Lind	Thorson
Dubay	Lowe	Trout
Eastgate	Marshall	Trovatten
Erickson	McDonald	Vinje
Ettestad	McGillic	Watt
Fowler	Miklethun	Whelan
Fredrickson	Nelson, Barnes	Wog
Greene, Cavalier	Nelson, Grand Fks.	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Kolpin	Matthaei
Fine	Lemke	Mutchler
Jones	Lynn	Topp
Kamrath		

So the resolution was adopted.

FIRST READING OF HOUSE BILLS

House Bill No. 38. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

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

SECOND READING OF HOUSE BILLS

HOUSE CONCURRENT RESOLUTION "A-1"

Was read the second time.

ROLL CALL

The question being on the adoption of House Concurrent Resolution "A-1," 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.
Bonzer	Gronvold	Owings
Braaten	Handley	Peterson
Brostuen	Johnson	Strehlow
Coffey	Kamrath	Stucke
Crandall	Kroeber	Thatcher

Messrs.	Messrs.	Messrs.
Drew	Lind	Thorson
Dubay	Lowe	Trout
Eastgate	Marshall	Trovatten
Ettestad	McDonald	Vinje
Fowler	McGillic	Watt
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Nelson, Barnes	Wog
Greene, Stutsman	Nelson, Grand Fks.	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Kolpin	Matthaei
Erickson	Lemke	Mutchler
Fine	Lynn	Topp
Jones		

So the resolution was adopted.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Kenneth McGregor, Page; Mrs. Ann M. Broom, Esther Wog, Medora; Dr. Simpson and Frank Weeb of the University of North Dakota.

Senator Eastgate moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

TWENTY-FIRST DAY

Senate Chamber,
Bismarck, North Dakota,
January 28, 1935.

The Senate convened pursuant to adjournment, President Welford presiding.

Prayer by Chaplain, Rev. G. Adolph Johns.

Roll call: All Senators were present except Senators Fine, Kolpin and Matthaai.

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

In line 3, correct the typographical error in the spelling of the word "Nineteenth."

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A resolution presented by Senator Lynn, signed, Mrs. J. B. Landsberger, and four other members of the Hazelton Women's Nonpartisan Club, condemning the present relief set-up, any crop mortgage law, and asking support of an adequate Old Age Pension plan.

Referred to the Committee on State Affairs.

A petition presented by Senator Lowe, signed, H. H. Cooper, and ninety-seven others asking the restoration of motor vehicle taxes for road purposes.

Referred to the Committee on Highways.

MESSAGE TO THE SENATE

House of Representatives,
Bismarck, North Dakota,
January 28, 1935.

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

SENATE CONCURRENT RESOLUTION "A"

Which the House has adopted.

Also,

SENATE JOINT RESOLUTION "B"

Which the House has amended.

Also transmit:

HOUSE CONCURRENT RESOLUTION A-3

Also,

HOUSE CONCURRENT RESOLUTION A-5

Which the House has adopted.

Also,

House Bill No. 30. A Bill for an Act Making an Appropriation for the use by the Board of Administration in Administering Child Welfare Laws.

Also,

House Bill No. 39. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

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

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

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. 2. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerkhire, Travel and General Expenses of the Office of the Governor, and Declaring an Emergency.

Also,

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 916, of the Compiled Laws of North Dakota and, also, the Expenses of District Judges While Holding Court Outside the County in Which the Judges Reside and While Serving on the Supreme Bench, and Declaring an Emergency.

And find the same correctly engrossed.

Also,

Senate Bill No. 3. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Salary and, also, the Expenses of District Judges While Holding Court Outside the County in Which the Judges Reside and While Serving on the Supreme Bench, and Declaring an Emergency.

And find the same correctly Re-engrossed.

THOMAS WHELAN,
Chairman.

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

REPORT OF STANDING COMMITTEES

A Majority of the Committee on State Affairs made the following report:

Mr. President: A majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 42. A Bill for an Act Fixing the Qualifications of Employees to Be Engaged on Public Work, Providing for Minimum Wages and Maximum Hours of Employment, Prohibiting Deduction from Wages and Providing a Remedy for Employees Paid Less Than the Minimum and the Penalty for Violation of the Act.

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

A. F. BONZER, Jr.
Chairman.

Minority of the Committee on State Affairs made the following report:

Mr. President: A minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 42. A Bill for an Act Fixing the Qualifications of Employees to Be Engaged on Public Work, Providing for Minimum Wages and Maximum Hours of Employment, Prohibiting Deduction from Wages and Providing a Remedy for Employees Paid Less Than the Minimum and the Penalty for Violation of the Act.

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

E. E. GREENE

Senator Bonzer moved that Senate Bill No. 42 be laid over one Legislative day.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 37. A Bill For an Act Providing Who Shall Be Employed on All Public Work, Providing for the Qualification of Such Employees, and Prohibiting Deduction From Wages.

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

A. F. BONZER, Jr.
Chairman.

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

Senator Dubay moved that all absent Senators be excused.

Which motion prevailed.

Senator Johnson moved that the vote by which Senate Bill No. 55 was passed be re-considered.

Which motion prevailed.

Senator Johnson moved that Senate Bill No. 55 be referred to the Committee on Judiciary.

Which motion prevailed.

Senator Gronvold asked unanimous consent to withdraw Senate Bills No. 49 and No. 50, which request was granted.

JOINT RESOLUTION "C"

Introduced by the Senate Committee on Education

WHEREAS, A serious crisis is impending in the financial condition of the Public Schools in the drought stricken areas of the State of North Dakota, and

WHEREAS, Unless immediate financial assistance is forthcoming, at least 1500 Schools will be obliged to close in this area.

THEREFORE, Be It Resolved, that the Senate hereby authorizes the Chairman of the Committee on Education to appoint a Sub-Committee to act jointly with a like Committee from the House in presenting the seriousness of these needs to the Federal Emergency Relief Administration.

Be It Further Resolved, that this Committee be authorized to collaborate with the Department of Public Instruction in securing the necessary statistical information bearing upon this crisis.

Senator Marshall moved that Joint Resolution "C" be adopted and printed in the Journal.

Which motion prevailed.

SENATE CONCURRENT RESOLUTION "M"

Introduced by Senator Miklethun

A Concurrent Resolution providing for the Amendment of Section 156 of Article 9 of the Constitution of North Dakota, relating to investment of funds arising from the Sale, Rental and Disposal of School and University Lands.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the following proposed amendment to Section 156 of Article 9 of the Constitution of the State of North Dakota, be agreed to and submitted to the qualified electors of the State for approval or rejection, in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota.

SECTION 1. AMENDMENT.) That Section 156 of Article 9 of the Constitution of the State of North Dakota be, and the same is, hereby amended to read as follows:

SECTION 156.) The Superintendent of Public Instruction, Governor, Attorney General, Secretary of State, and State Auditor shall constitute a Board of Commissioners, which shall be denominated the "Board of University and School Lands", and subject to the provisions of this Article and any law that may be passed by the Legislative assembly, said Board shall have control of the appraisement, sale, rental and disposal of all School and University Lands; and said Board shall direct the investment of the funds arising therefrom in the hands of the State Treasurer, under the limitations in Section 160 of this Article, with power in the Board to compromise the obligation, security, claim or demand resulting from any such investment, and fully satisfy the same upon payment or settlement in an amount less than the whole of the principal or interest, or both, then remaining unpaid which, in the sound judgment of the Board, is deemed necessary to reduce loss.

Referred to the Committee on State Affairs.

FIRST READING OF SENATE BILLS

Committee on Appropriations introduced:

Senate Bill No. 71. A bill for an Act Making an Appropriation to Provide for the Payment of a Deficit for Maintenance of the Capitol from February 1, 1935, to June 30, 1935, in the Office of the Board of Administration, and Declaring an Emergency.

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

Senator Ettetstad introduced:

Senate Bill No. 72. A Bill for an Act to Amend and Re-enact Section 922, Compiled Laws of 1913, Relating to Posting of Notices of Primary Election.

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

Senator Bonzer introduced:

Senate Bill No. 73. A Bill for an Act Requiring the Assessment and Levy of a Tax on All Coal Produced in North Dakota.

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

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
January 28, 1935.

Mr. Speaker: I have the honor to return herewith:

HOUSE CONCURENT RESOLUTION "A-1"

Which the Senate has adopted unchanged.

Also transmit herewith:

SENATE CONCURRENT RESOLUTION "K"

Which the Senate has adopted.

And your favorable consideration is respectfully requested.

Very respectfully,
F. E. TUNELL,
Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 2. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerk-hire, Travel and General Expenses of the Office of the Governor, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Handley	Owings
Brostuen	Kamrath	Peterson
Cain	Kroeber	Strehlow
Coffey	Lind	Stucke

Messrs.	Messrs.	Messrs.
Crandall	Lowe	Thatcher
Drew	Lynn	Topp
Dubay	Marshall	Trout
Eastgate	McDonald	Trovatten
Ettestad	McGillic	Vinje
Fowler	Miklethun	Watt
Fredrickson	Mutchler	Whelan
Greene, Cavalier	Nelson, Barnes	Wog
Greene, Stutsman	Nelson, Grand Fks.	Young
Gronvold		

Those voting in the negative were:

Messrs.	Messrs.
Erickson	Jones
Johnson	Lemke

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Kolpin	Thorson
Fine	Matthaei	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 3. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Salary and, also, the Expenses of District Judges While Holding Court Outside the County in Which the Judges Reside and While Serving on the Supreme Bench, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Gronvold	Owings
Braaten	Handley	Peterson
Brostuen	Kamrath	Strehlow
Cain	Kroeber	Stucke
Coffey	Lind	Thatcher
Crandall	Lowe	Topp
Drew	Lynn	Trout
Dubay	Marshall	Trovatten
Eastgate	McDonald	Vinje
Ettestad	McGillic	Watt
Fowler	Miklethun	Whelan
Fredrickson	Mutchler	Wog
Greene, Cavalier	Nelson, Barnes	Young
Greene, Stutsman	Nelson, Grand Fks.	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Erickson	Jones	Thorson
Johnson	Lemke	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fine	Kolpin	Matthaei

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Jones: "I cannot help but think that the people of this state would object, and I do too, to the fact that we have to spend the amount of \$10,746.42 per annum for the Judges that go outside of their own district to hold court, therefore I vote 'nay'."

FIRST READING OF HOUSE BILLS

HOUSE CONCURRENT RESOLUTION "A-3"

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

HOUSE CONCURRENT RESOLUTION "A-5"

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

House Bill No. 30. A Bill for an Act Making an Appropriation for the use by the Board of Administration in Administering Child Welfare Laws.

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

House Bill No. 39. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

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

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Mary Jo Weiler, Jamestown; A. C. Christenson, Mr. and Mrs. E. P. Christenson, Mr. and Mrs. Lawrence Erickson and H. L. Nelson, all of Minot; Mrs. H. C. Young, K. A. Fitch, Fargo; Mr. and Mrs. Oscar Odegaard, Pekin; Mr. C. W. Lewis, Bismarck.

Senator Brostuen moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

TWENTY-SECOND DAY

Senate Chamber,
Bismarck, North Dakota,
January 29, 1935.

The Senate convened pursuant to adjournment, President Welford presiding.

Prayer by Chaplain, Rev. Walter E. Vater.

Roll call: All Senators were present except Senators Cain, Kolpin and Matthaei.

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 Twenty-first day and recommend that the same be corrected as follows:

Strike out the word "Chairman" at the bottom of page 3.

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
January 29, 1935.

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

House Bill No. 8. A Bill For an Act to Amend and Re-enact Sections 2 and 8 of Chapter 95, Session Laws of 1929: "An Act to Regulate the Practice of Chiropody, to Create a State Board of Chiropody, to Provide for the Examination and

Licensing of Chiropodists and Providing Penalties for the Violation Thereof."

Also,

House Bill No. 45. A Bill for an Act Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents, and Employees, Exempting the Governor, of the State of North Dakota, or of any of its Sub-divisions, While Upon Public Expense Account; Providing a Penalty for Violation Thereof, and Declaring an Emergency.

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

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A resolution presented by Senator Nelson of Grand Forks, signed, the Merchants' Association of Grand Forks, protesting any additional gas tax.

Also like petitions in the form of five telegrams, presented by Senator Brostuen.

Referred to the Committee on Highways.

A petition presented by Senator Brostuen, signed, Lyle Reimers of the Dakota Drug Company, asking favorable support of Senate Bill No. 57.

Referred to the Committee on State Affairs.

Senator Bonzer moved that Senate Bill No. 42 be referred to the Committee on State Affairs.

Which motion prevailed.

SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following resolution:

SENATE CONCURRENT RESOLUTION "A"

A Resolution Memorializing the Congress of the United States to Continue Federal Aid to School Districts in Financial Distress.

And find the same correctly enrolled.

THOMAS WHELAN,
Chairman.

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

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

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

Senate Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 9 of the Session Laws of North Dakota of 1933, Relating to Wolf Bounty; and Declaring an Emergency.

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

In line 8 of the printed bill strike out the following language, "Four dollars (\$4.00)", and insert in lieu thereof the language, "Two dollars and Fifty cents (\$2.50)".

In line 9, of the printed bill strike out the following language, "Two (\$2.00) dollars", and insert in lieu thereof the language "One dollar (\$1.00)."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 65. A Bill for an Act Making an Appropriation to Provide for the Payment to the City of Bismarck, North Dakota, Its Actual Expenses Incurred for the Use of the Municipal Auditorium and World War Memorial Building by the 1933 Legislative Assembly for Labor, Steamheat, Light and Power, Water, Janitors and Washroom Supplies, and Repairs and Miscellaneous Items.

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

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson 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. 66. A Bill for an Act to Provide for the Creation of a North Dakota Tax Survey Commission, Defining its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

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

And with the further recommendation that the bill be re-referred to the Committee on Appropriations.

J. K. BROSTUEN,
Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
January 29, 1935.

Mr. Speaker: I have the honor to transmit herewith the following:

SENATE JOINT RESOLUTION "C"

Which the Senate has adopted.

Also,

Senate Bill No. 2. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerk-hire, Travel and General Expenses of the Office of the Governor, and Declaring an Emergency.

Also,

Senate Bill No. 3. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Salary and, also, the Expenses of District Judges While Holding Court Outside the County in Which the Judges Reside and While Serving on the Supreme Bench, and Declaring an Emergency.

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

Very respectfully,

F. E. TUNELL,
Secretary.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

SENATE CONCURRENT RESOLUTION "A"

Also,

SENATE CONCURRENT RESOLUTION "C"

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

The President announced that the Senate was on the Seventh Order of Business.

Senator Strehlow moved that all absent Senators be excused.

Which motion prevailed.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Bonzer moved that the Senate do concur in the House Amendment to Senate Concurrent Resolution "B".

Which motion prevailed.

SENATE RESOLUTION "E"

Introduced by Senate Committee on Appropriations

WHEREAS, a serious condition and crisis exists at several of the state institutions of this state with respect to the necessity for new buildings to properly house and care for the inmates of such institutions, and

WHEREAS, the financial condition of this state is such by reason of drought and other causes to make it extremely burdensome, if not impossible, to appropriate and raise sufficient funds to build the new buildings at such institutions as are imperatively needed, and

WHEREAS, the said Senate Committee on Appropriations has appointed a sub-committee consisting of Senators Marshall, Watt, and Dubay, with respect to this matter,

NOW THEREFORE, BE IT RESOLVED, that the Senate hereby approves the action of its said committee on Appropriations in appointing such sub-committee and does hereby authorize and empower the said sub-committee to act jointly with a like committee from the House in presenting the seriousness of these needs to the Federal Emergency Relief Administration.

Senator Fredrickson moved that Senate Resolution "E" be adopted.

Which motion prevailed.

FIRST READING OF SENATE BILLS

Committee on Appropriations introduced:

Senate Bill No. 74. A Bill for an Act to Provide for the Apportionment of the Expense of Auditing and Examining the Affairs of the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, Bank of North Dakota, Including the Farm Loan Department, the State Hail Insurance Fund, and the Workmen's Compensation Bureau of the State of North Dakota by the State Board of Auditors Pursuant to the Initiated Measure Ap-

proved November 2, 1920, and Chapter 143 of the Session Laws of 1923, and Providing a Fund for the Payment of Such Expense.

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

Senators Jones and Stucke introduced:

Senate Bill No. 75. A Bill for an Act to Provide for Liens in Favor of Hospitals and Other Charitable Institutions Furnishing Care, Treatment and Maintenance of Persons Injured in Accidents, not Subject to the Provisions of the Workmen's Compensation Act of North Dakota, for the Reasonable Value of the Service so Rendered, Upon the Rights of Action, Claims or Demands of Such Injured Persons, or Judgments Recovered Thereon, Against Other Persons, or Corporations, liable in Tort for Damages, on Account of Negligence Causing the Injuries, and Upon the Proceeds of the Settlements of Any Such Claims or Demands; and Upon and Against the Insurer of Such Tort Feasor or Tort Feasors; and Upon Insurance Held by the Injured Person, and Providing for Constructive Notice Upon Such Insurers, Tort Feasors and their Insurers, if any, by a Filing of a Lien Statement with the Clerk of the District Court of the County in Which Such Services Are Rendered.

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

Senator Jones introduced:

Senate Bill No. 76. A Bill for an Act to Prevent the Importation and Sale of Infected Fruit; Providing for the Seizure of Infected Fruit, and Defining Penalties.

Was read the first time and referred to the Committee on Agriculture.

Senators Drew and Eastgate introduced:

Senate Bill No. 77. A Bill for an Act Amending Section 1674 of the Compiled Laws of North Dakota, 1913, Relating to School of Forestry of Bottineau, North Dakota, Limiting the Object of Said School, and Permitting, Under Supervision of the Board of Administration, the Use by the North Dakota State Tuberculosis Sanatorium of Part of Its Grounds and Buildings Not Exclusively Used and Necessary for Such Object, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

FIRST READING OF HOUSE BILLS

House Bill No. 8. A Bill For an Act to Amend and Re-enact Sections 2 and 8 of Chapter 95, Session Laws of 1929: "An

Act to Regulate the Practice of Chiropody, to Create a State Board of Chiropody, to Provide for the Examination and Licensing of Chiropodists and Providing Penalties for the Violation Thereof."

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

House Bill No. 45. A Bill for an Act Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents, and Employees, Exempting the Governor, of the State of North Dakota, or of any of its Sub-divisions, While Upon Public Expense Account; Providing a Penalty for Violation Thereof, and Declaring an Emergency.

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

Senator Fine asked unanimous consent to return to the Fourth Order of Business.

Which request was granted.

Senator Fine: "Mr. President and Gentlemen of the Senate; I wish to bring to you a message of very deep appreciation on the part of my wife and myself for the kind remembrance that each and all of you have shown in sending flowers, and assure you that they came at a time when they were very greatly appreciated. Also assuring you that it will be long remembered by both of us. We are glad to know that you, Mr. President, and gentlemen of the Senate, took that much interest in us at such a time and we wish to thank you very kindly."

A group of eleven telegrams were presented by Senator Bonzer, condemning Senate Bill No. 68.

Referred to the Committee on State Affairs.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
January 29, 1935.

Mr. Speaker: I have the honor to transmit herewith:

SENATE CONCURRENT RESOLUTION "A"

And,

SENATE CONCURRENT RESOLUTION "C"

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Henry Williams, Jamestown; Alphons Lorenz, Spiritwood;
C. A. Ward, Hazelton; Dr. F. B. Strauss, Bismarck; Lars
Siljan, Garrison; Mr. and Mrs. A. G. Torgerson, Minot.

Senator Watt moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

TWENTY-THIRD DAY

Senate Chamber,
Bismarck, North Dakota,
January 30, 1935.

The Senate convened pursuant to adjournment, President Welford presiding.

Prayer by Chaplain, Rev. G. Adolph Johns.

Roll call: All Senators were present except Senators Kolpin and Matthaei.

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 Twenty-second day and found the same to be correct.

And recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
January 30, 1935.

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

SENATE JOINT RESOLUTION "C"

Also,

SENATE CONCURRENT RESOLUTION "H"

Which the House has adopted.

Also transmit:

HOUSE CONCURRENT RESOLUTION "A-7"

Which the House has adopted.

Also,

House Bill No. 40. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Public Health.

Also,

House Bill No. 41. A Bill for an Act Making an Appropriation for the Purpose of Indemnifying Owners of Animals Infected with Bovine Tuberculosis and to Pay Expenses in Connection Therewith.

Also,

House Bill No. 68. A Bill Relating to the Bonds to be Furnished by County Judges, Clerk of District Court and/or Register of Deeds Filing Offices as Consolidated by Reason of Chapter 84 Laws of 1933.

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

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A telegram presented by Senator Lowe, signed, Kenmare Creamery Company, condemning Senate Bill No. 68.

Referred to the Committee on State Affairs.

A petition presented by Senator Mutchler, signed, Burton Wilcox and ten others, condemning the cancelling of past due taxes.

Referred to the Committee on Taxes and Tax Laws.

A resolution presented by Senator Gronvold, signed, Olof A. Nelson and two other members of the Rugby Parent-Teachers' Association, demanding a revision of the tax laws regarding schools.

Referred to the Committee on Taxes and Tax Laws.

A petition presented by Senator Kolpin, signed, Henry G. Olson, President of the Farmers' Co-operative Shipping Association, urging an increased bounty on coyotes.

Referred to the Committee on Livestock.

A petition presented by Senator Marshall, signed, United Farmers' League, requesting legislation along several lines.

Referred to the Committee on State Affairs.

A resolution presented by Senator Stucke, signed, Willard Chase, Secretary of the Garrison Local of the National Farmers' Holiday Association, demanding action on the Missouri River Diversion Project.

Referred to the Committee on State Affairs.

Senator Thorson asked unanimous consent to be on the Seventh Order of Business.

Which request was granted.

Senator Thorson moved that Senate Bill No. 52 be referred to the Committee on Agriculture.

Which motion prevailed.

SENATE COMMITTEE ON ENROLLMENT AND ENGISSMENT

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 resolutions:

JOINT RESOLUTION "B"

A Resolution with Reference to Federal Funds to Meet the Relief Needs of the State.

Also,

SENATE RESOLUTION "E"

A Resolution with Reference to Appointment of a Subcommittee of the Committee on Appropriations, to Present to the Federal Emergency Relief Administration the Need of State Institutions for New Buildings.

Also,

CONCURRENT RESOLUTION "C"

A Resolution with Reference to Allotment of Federal Monies for Highway Construction.

And find the same correctly enrolled.

THOMAS WHELAN,
Chairman.

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

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 Amend and Re-enact Section 486 and Section 487 of the Compiled Laws of 1913, Relating to the Regulation of the Practice of Pharmacy.

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

Amend the title as follows: Strike out the following: "Section 486 of the Compiled Laws of 1913," and insert in lieu thereof the following: "Chapter 185 of Session Laws of 1929."

Also strike out the period and insert a comma in lieu thereof and add the following language: "and Declaring an Emergency."

Also amend Section 1, line 30, of the printed bill, by striking out the following: "July 1, 1935," and insert in lieu thereof, "January 1, 1935."

Also add Section 3, as follows:

"Section 3. An emergency is hereby declared to exist and this bill shall be in full force after its passage and approval."

And when so amended, recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Fowler moved that the report of the Committee on State Affairs on Senate Bill No. 57 be amended by inserting between paragraphs two and three the following:

"Also strike out the following language in lines 1 and 2 of Section 1 of the printed bill viz: 'Section 486 of the Compiled Laws of 1913' and insert in lieu thereof 'Chapter 185 of the Laws of 1929'."

Which motion prevailed.

Senator Bonzer moved that the report, as amended, be adopted.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

HOUSE CONCURRENT RESOLUTION "A-3"

Great Lakes-St. Lawrence Waterway.

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

HOUSE CONCURRENT RESOLUTION "A-5"

Memorializing Congress to Enact Old Age Pension Legislation.

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws of North Dakota of the Year 1929, Relating to the Custodian of the State Capitol and Grounds and Describing his Powers, Duties and Compensation; and Appointing Such Custodian.

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "I"

Memorializing and Urging Congress to Give Every Consideration to the Townsend Old Age Revolving Pension Plan.

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "G"

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was re-referred:

Senate Bill No. 42. A Bill for an Act Fixing the Qualifications of Employees to Be Engaged on Public Work, Providing for Minimum Wages and Maximum Hours of Employment, Prohibiting Deduction from Wages and Providing a Remedy for Employees Paid Less Than the Minimum and the Penalty for Violation of the Act.

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

A. F. BONZER,
Chairman.

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

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
January 30, 1935.

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

SENATE CONCURRENT RESOLUTION No. "A"

Also,

SENATE CONCURRENT RESOLUTION "C"

Which the Speaker has signed.

Also transmit:

HOUSE CONCURRENT RESOLUTION "A-1"

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN
Chief Clerk.

The Committee on Appropriations made the following report:

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

Senate Bill No. 66. A Bill for an Act to Provide for the Creation of a North Dakota Tax Survey Commission, Defining its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

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

In line 4 of Section 3 of the printed bill, strike out the following language, "Eight Dollars (\$8.00)" and insert in lieu thereof the language "Five Dollars (\$5.00.)"

In line one of Section 6 of the printed bill, between the figure "6" and the word "There" insert the following language "Appropriation.)"

In lines 2 and 3 of Section 6 of the printed bill, strike out the following language, "Twenty Thousand Dollars (\$20,000.00)" and insert in lieu thereof the language, "Fifteen Thousand Dollars (\$15,000.00.)"

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fowler moved to amend the report of the Committee on Appropriations by striking out the language inserted in line 4 of Section 3, "Five Dollars (\$5.00)" and insert in lieu thereof the language "Eight Dollars (\$8.00.)"

The question was put and the President announced he was in doubt.

Senator Watt demanded a roll call.

ROLL CALL

The question being on the amendment offered by Senator Fowler to the report of the Standing Committee on Senate Bill No. 66, 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.
Bonzer	Greene, Stutsman	Nelson, Barnes
Braaten	Handley	Peterson
Brostuen	Jones	Strehlow
Cain	Kamrath	Stucke
Coffey	Kroeber	Topp
Crandall	Lind	Vinje
Drew	Lynn	Whelan
Erickson	McDonald	Wog
Ettestad	McGillic	Young
Fowler		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Dubay	Lemke	Owings
Eastgate	Lowe	Thatcher
Fine	Marshall	Thorson
Fredrickson	Miklethun	Trout
Greene, Cavalier	Mutchler	Trovatten
Gronvold	Nelson, Grand Fks.	Watt
Johnson		

Absent and not voting:

Messrs.
Kolpin
Matthaei

So the motion prevailed.

Senator Fowler moved that the report as amended, be adopted, which motion prevailed.

The Committee on Appropriations made the following report:

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

Senate Bill No. 63. A Bill for an Act Providing for the Appointment and Removal at Pleasure of a Procurement Officer as Required Under the Rules and Regulations of the Act of Congress Known as the Emergency Conservation Work Act. Fixing His Salary and the Payment Thereof, Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

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

Strike out everything following the words, "A Bill," and insert the following language: "For an Act Providing for the Appointment and Removal at Pleasure of a Procurement Officer as Required under the Rules and Regulations of the Act of Congress known as the Emergency Conservation Work Act, and of Assistant, Fixing Their Salary and Making Appropriation therefor, and Repealing all Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

Section 1. APPOINTMENT OF PROCUREMENT OFFICER.) The Governor is hereby authorized and directed to appoint an employee of the State Historical Society of the State of North Dakota as Procurement Officer to perform such duties as may be required of him under the rules and regulations of the Act of Congress known as the Emergency Conservation Work Act for such term as the services of said officer may be required and needed under said Act of Congress. Said Procurement Officer shall be removable at the pleasure of the Governor. The said Procurement Officer may also appoint an Assistant who shall under his direction and during his pleasure, perform such duties as may be required

by said Procurement Officer and who shall be known as Assistant Procurement Officer, and may also be an employee of the State Historical Society of the State of North Dakota. The salary herein provided shall be paid said Procurement Officer and his Assistant in addition to any other salary or compensation which either of them may otherwise receive for his services as an employee of the said State Historical Society.

Section 2. SALARY. APPROPRIATION.) The said Procurement Officer shall receive a salary not exceeding Fifty Dollars (\$50.00) per month, and his said assistant a salary not exceeding Twenty-five Dollars (\$25.00) per month, and there is hereby appropriated out of any moneys in the State Treasury, not otherwise appropriated, the sum of \$1,800.00, or so much thereof as may be necessary therefor, out of which appropriation the salary of said Procurement Officer and Assistant Procurement Officer shall be paid in the same manner that salaries of State officers are paid, the said appropriation to remain in force for the period extending from the effective date of this act to the 30th day of June, 1937.

Section 3. REPEAL.) All Acts or parts of Acts in Conflict herewith are hereby repealed.

Section 4. EMERGENCY.) The establishment by the Federal Government of CCC camps through the State under the provisions of the Act of Congress known as the Emergency Conservation Work Act having proven to be most beneficial to this State, and their continuance being to a large extent dependent upon the immediate appointment of a Procurement Officer as herein provided, an emergency is hereby declared to exist and this Act is hereby declared to be an emergency measure, and shall take effect and be in force immediately upon its passage and approval.

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

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

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

SENATE RESOLUTION "E"

Also,

SENATE JOINT RESOLUTION "B"

Also,

HOUSE CONCURRENT RESOLUTION A-1

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

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, N. Dak.,
January 30, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

HOUSE CONCURRENT RESOLUTION A-1

Which the President has signed.

Very respectfully,

F. E. TUNELL,
Secretary.

SENATE CONCURRENT RESOLUTION "N"

Introduced by Senator Thatcher

CONSTITUTIONAL AMENDMENT—ASSESSMENT OF
PROPERTY—WHERE AND HOW MADE

A Concurrent 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.

BE IT RESOLVED BY THE SENATE THE HOUSE OF
REPRESENTATIVES CONCURRING:

That the following amendment to Section 179 of Article XI of the Constitution of the State of North Dakota, as amended by Articles 4, 20 and 44 of the amendments thereto, be agreed to and submitted to the qualified electors of the State of North Dakota for approval or rejection in accordance with the provisions of Section 202 of Article XV, as amended, of the Constitution of the State of North Dakota;

AMENDMENT. That Section 179 of Article XI of the Constitution of the State of North Dakota, as amended by Articles 4, 20 and 44 of the amendments thereto, be amended and re-enacted to read as follows:

179. To the end that the burden of taxation may be equitable upon all property and in order that no property which is made subject to taxation shall escape, the Legislature is empowered to divide all property, both real and personal, and including franchises, privileges and licenses to do business in this State, into classes, and to prescribe which property shall for taxation purposes belong to each class, and to determine what class or classes of property shall be subject to taxation and what property, if any, shall not be subject to taxation. Taxes shall be uniform on all property of the same class, and shall be assessed, levied and

collected in such manner and at such time and by such board or officer or officers as the Legislature shall prescribe. The Legislature may provide by law for the levy and assessment by the State Board of Equalization, in lieu of all other state or local taxes thereon in the same class, of a per centum of the gross earnings or net incomes, as the Legislature shall prescribe, of the person, firm, corporation, co-partnership or association owning, using, renting or controlling the property belonging to any of said classes, but such per centum shall be uniform for each class, and all property of each of said persons, firms, corporations, co-partnerships or associations shall be subject to a paramount lien in favor of the State for the amount of such levy and assessment from the date of its assessment until the levy so made is paid. The Legislature may impose taxes upon incomes and occupations and taxes upon incomes and occupations may be graduated and progressive and reasonable exemptions may be provided. The property of a person, firm, corporation, co-partnership or association may belong to and be assessed partly in one class and partly in another according to its character and use as classified by the Legislature.

Referred to the Committee on Taxes and Tax Laws.

FIRST READING OF SENATE BILLS

Senators McDonald and McGillic introduced:

Senate Bill No. 78. A Bill for an Act Declaring Policy and Establishing a State Code of Fair Competition; Providing Penalty for Violation.

Was read the first time and referred to the Committee on Ways and Means.

Senator Thatcher introduced (by request):

Senate Bill No. 79. A Bill for an Act to Amend and Re-enact Section 53, Chapter 148 of the 1931 Session Laws, Relating to Commercial Fishing, Application for License and Cost Thereof.

Was read the first time and referred to the Committee on Game and Fish.

Senator Thatcher introduced:

Senate Bill No. 80. A Bill for an Act to Amend and Re-enact Section 2178 of the Compiled Laws of 1913 Relating to Fees of Sheriff or His Deputy for Making Distress and Sale of Goods and Chattels for the Payment of Taxes, and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

Senator Lynn introduced:

Senate Bill No. 81. A Bill for an Act to Amend and Re-enact Subdivisions (a) and (b) of Section 1 of Chapter 279 being an Amendment of Section 2166 of the Supplement to the

1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Section 3 of the Chapter 241 of the Session Laws of the State of North Dakota for 1929 and as Again Amended and Re-enacted in Chapter 279 of the Session Laws for the year 1931, relating to the Maturity and Delinquency of Personal Property Taxes.

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

Senator Ettetstad introduced:

Senate Bill No. 82. A Bill for an Act to Amend and Re-enact Section 2203 of the 1925 Supplement to the Compiled Laws of 1913, Providing for the Assignment of Tax Sale Certificates held by the County, Amount to be Paid for an Assignment Thereof, and Prescribing the Form of Such Assignment.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 65. A Bill for an Act Making an Appropriation to Provide for the Payment to the City of Bismarck, North Dakota, Its Actual Expenses Incurred for the Use of the Municipal Auditorium and World War Memorial Building by the 1933 Legislative Assembly for Labor, Steamheat, Light and Power, Water, Janitors and Washroom Supplies, and Repairs and Miscellaneous Items.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Grand Fks.
Braaten	Handley	Owings
Brostuen	Johnson	Peterson
Cain	Jones	Strehlow
Coffey	Kamrath	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Mutchler	Wog
Greene, Stutsman	Nelson, Barnes	Young

Absent and not voting:

Messrs.	Messrs.
Ettestad	Matthaei
Kolpin	McGillic

So the bill passed and the title was agreed to.

FIRST READING OF HOUSE BILLS

HOUSE CONCURRENT RESOLUTION "A-7"

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

House Bill No. 40. 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 time and referred to the Committee on Appropriations.

House Bill No. 41. A Bill for an Act Making an Appropriation for the Purpose of Indemnifying Owners of Animals Infected with Bovine Tuberculosis and to Pay Expenses in Connection Therewith.

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

House Bill No. 68. A Bill Relating to the Bonds to be Furnished by County Judges, Clerk of District Court and/or Register of Deeds Filling Offices as Consolidated by Reason of Chapter 84 Laws of 1933.

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

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Christ Deide, Gottlieb Deide, Mike Deide and Henry Deide, all of Antelope; Mrs. Howard Williams, Lidgerwood; John Tweeten, Rolette; Oscar Sorlie, Buxton; Frank E. Moore, Fargo; J. G. Landrigan, St. Thomas; Percy Donnelly, Grafton; Geo. J. Schultz, Bismarck; G. E. Conell, Casselton; Ivan Droadal, Arnegard; O. W. Hagen, Watford City; B. J. Burreson, Lakota; Frank E. Cave, Bismarck; Curtis Wright, Michigan; Harry Bronson, L. A. Benson, Grand Forks; Edwin Leiby, Geo. Rose, Fred Graham, Raymond Dillingham and Dr. James V. Miles, of Ellendale.

Senator Gronvold moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

TWENTY-FOURTH DAY

Senate Chamber,
Bismarck, North Dakota,
January 31, 1935.

The Senate convened pursuant to adjournment, President Welford presiding.

Prayer by Chaplain, Rev. G. Adolph Johns.

All Senators were present except Senator Kolpin.

Senator Greene of Stutsman asked unanimous consent to be on the Seventh Order of Business.

Which request was granted.

Senator Greene of Stutsman moved that in view of the fact that members of the National Resource Board, namely: Marshall N. Dana, chairman, Pacific Northwest Regional Planning Commission, of Portland, Oregon; L. A. Campbell, State Planning Consultant of Montana, and Dean Holm, Executive Secretary of the Minnesota Planning Board, are in the city and that tentative arrangements to have them speak to a Joint Session could not be carried out, a special messenger should be sent to ascertain if these men will be available for a Joint Session tomorrow, and if not, ascertain if they can address the Senate this afternoon.

Which motion prevailed.

Senator Fowler moved that the vote by which the report of the Committee on State Affairs on Senate Bill No. 57, was amended, be reconsidered.

Which motion prevailed.

Senator Fowler moved that the following portion of the committee report on Senate Bill No. 57 be amended as follows:

Strike out the following: "Section 486 of the Compiled Laws of 1913" and insert in lieu thereof, "strike out the following: 'Section 486'."

Which motion prevailed.

Senator Fowler moved that the report of the committee on Senate Bill No. 57 as further amended, be adopted.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
January 31, 1935.

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

Senate Bill No. 31. A Bill for an Act to Amend and Re-enact Section 9163 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Appeals to the District Court.

Which the House has amended.

Also,

Senate Bill No. 33. A Bill for an Act Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply with This Law.

Which the House has passed unchanged.

Also transmit:

HOUSE CONCURRENT RESOLUTION "A-6"

Also,

HOUSE CONCURRENT RESOLUTION "A-9"

Which the House has adopted.

Also,

House Bill No. 33. 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 1923, the Same Being Sections 2790a1-2790a18 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 78. A Bill for an Act to Amend and Re-enact Section 7375 of the 1913 Compiled Laws, Enumerating the Kinds of Actions Which Must Be Commenced Within Six Years After the Cause of Action Accrues.

Also,

House Bill No. 79. A Bill for an Act to Provide for Fraud or Fraudulent Concealment of Facts Constituting a Cause of Action, to Postpone or Toll the Running of the Statute of Limitations.

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

Also,

Senate Bill No. 34. A Bill for an Act to Amend and Re-enact Section 7298, Compiled Laws of 1913, Relating to Holidays.

Also,

SENATE JOINT RESOLUTION "B"

Which the House has indefinitely postponed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

MESSAGE TO THE SECRETARY OF STATE

Senate Chamber,
Bismarck, North Dakota,
January 30, 1935.

Hon. James D. Gronna,
Secretary of State,
Bismarck, North Dakota.

Dear Sir:

I have the honor to transmit herewith the following resolutions:

Senate Memorial Resolution No. A.

Senate Memorial Resolution No. B.

Senate Resolution No. E.

Kindly file the same in your office and acknowledge receipt and oblige.

Respectfully,

F. E. TUNELL,
Secretary of the Senate.

FET/BB

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 Twenty-third day and recommend that the same be corrected as follows:

In line 37, page four, insert the word "House" before the word "Concurrent."

In line 19, page 6, correct the spelling of the word "Indefinitely."

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

PETITIONS AND RESOLUTIONS

The following petitions and resolutions were received and read from the desk:

A resolution presented by Senator Jones, signed, Miss Eunis Selthun, President of Townsend Club No. 3 of Minot, in favor of the Townsend Pension Plan.

Referred to the Committee on State Affairs.

A resolution presented by Senator Kamrath, signed, John P. Fiske and three other members of Farmers Union Local No. 1073, asking legislation providing for a correspondence high school course.

Referred to the Committee on Education.

Two telegrams were presented by Senator Nelson of Grand Forks, asking support of an appropriation for the Children's Bureau.

Referred to the Committee on Women's and Children's Welfare.

A resolution presented by Senator Erickson, signed, B. C. Koester, chairman of the Board of County Commissioners of Kidder County, asking the taxation of State Owned Lands.

Referred to the Committee on Taxes and Tax Laws.

Also a resolution from the same source, asking the restoration of all motor vehicle license fees for road purposes.

Referred to the Committee on Highways.

A resolution presented by Senator Erickson, signed, Henry Buchmiller, asking legislation permitting the State Land Commissioner to lease State School Land on deferred payments.

Referred to the Committee on Public Lands.

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 resolutions:

JOINT RESOLUTION C

A Resolution With Reference to Financial Condition of Public Schools in the Drought Stricken Areas of North Dakota.

Also,

JOINT MEMORIAL RESOLUTION NO. A

A Resolution Expressing Sympathy to Senator Frazier and Family in the Death of Lottie Frazier.

Also,

SENATE CONCURRENT RESOLUTION NO. H

A Resolution Requesting Congress of the United States to Enact Legislation to Provide for the Immediate Payment of World War Veterans' Adjusted Compensation Certificates; Cancelling Interest; Refunding Interest Paid.

And find the same correctly Enrolled.

Also,

Senate Bill No. 57. A Bill for an Act to Amend and Re-enact Chapter 185 of the Session Laws of 1929 and Section 487 of the Compiled Laws of 1913, Relating to the Regulation of the Practice of Pharmacy, and Declaring an Emergency.

Also,

Senate Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 9 of the Session Laws of North Dakota of 1933, Relating to Wolf Bounty; and Declaring an Emergency.

Also,

Senate Bill No. 66. A Bill for an Act to Provide for the Creation of a North Dakota Tax Survey Commission, Defining its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 63. A Bill for an Act Providing for the Appointment and Removal at Pleasure of a Procurement Officer as Required Under the Rules and Regulations of the Act of Congress Known as the Emergency Conservation Work Act, and of an Assistant, Fixing Their Salary and Making Appropriation Therefor, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

And find the same correctly Engrossed.

THOMAS WHELAN,
Chairman.

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

REPORT OF STANDING COMMITTEES

The Committee on Taxes and Tax Laws made the following report:

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

Senate Bill No. 56. A Bill for an Act to Amend and Re-enact Section 2093 of 1925 Supplement to the Compiled Laws of 1913, and Sections 2127, 2133, 3642, 3643 and 3872 of the Compiled Laws of 1913, and Sections 2125 and 3871 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 248 of Session Laws of 1929, Relating to the Division of Unorganized Territory Into Assessors Districts; the Election, Qualifications and Compensation of Assessors of Townships of Unorganized Districts; Listing of Real and Personal Property for Taxation; Changing the Assessor's Date from April 1, to May 1, and Changing the Time Within Which Assessors and Boards of Review Are Required to Perform Their Duties; Repealing Conflicting Provisions and Declaring an Emergency.

Have had the same under consideration and, in view of the creation of the Tax Survey Commission and that the subject matter of this bill will undoubtedly be considered by such commission, we recommend that this bill be indefinitely postponed.

J. K. BROSTUEN,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 18. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, 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, "\$113,-106.20" and insert in lieu thereof the figures, "\$110,-106.20".

In line 31 of the printed bill strike out the figures, "\$4,-000.00" and insert in lieu thereof the figures "\$2,000.00".

In line 33 of the printed bill strike out the figures "\$330,-111.20" and insert in lieu thereof the figures "\$328,111.20".

In line 36 of the printed bill strike out the figures "\$88,056.20" and insert in lieu thereof the figures "\$86,056.20".

In line 40 of the printed bill strike out all of the language and figures.

In line 51 of the printed bill strike out all of the language and figures.

In line 53 of the printed bill strike out the figures "\$113,106.20" and insert in lieu thereof the figures "\$110,106.20."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 71. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit for Maintenance of the Capitol from February 1, 1935, to June 30, 1935, in the Office of the Board of Administration, and Declaring an Emergency.

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

L. O. FREDRICKSON,
Chairman.

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

Senator Johnson moved that all absent Senators be excused.

Which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

JOINT RESOLUTION "C"

Also,

JOINT MEMORIAL RESOLUTION "A"

Also,

SENATE CONCURRENT RESOLUTION "H"

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

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Coffey moved that the Senate do concur in the House amendment to Senate Bill No. 31.

Which motion prevailed.

Senator Coffey moved that the rules be suspended and that Senate Bill No. 31, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 31. A Bill for an Act to Amend and Re-enact Section 9163 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Appeals to the District Court.

Was read the second 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.

ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young

Absent and not voting:

Messrs.
Kolpin

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
January 31, 1935.

Mr. Speaker: I have the honor to inform you that the

Senate has concurred in the House amendment to Senate Bill No. 31.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
January 31, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws of North Dakota of the Year 1929, Relating to the Custodian of the State Capitol and Grounds and Describing his Powers, Duties and Compensation; and Appointing Such Custodian.

HOUSE CONCURRENT RESOLUTION A-5

Which the Senate has indefinitely postponed.

Also, transmit herewith:

Senate Bill No. 65. A Bill for an Act Making an Appropriation to Provide for the Payment to the City of Bismarck, North Dakota, Its Actual Expenses Incurred for the Use of the Municipal Auditorium and World War Memorial Building by the 1933 Legislative Assembly for Labor, Steamheat, Light and Power, Water, Janitors and Washroom Supplies, and Repairs and Miscellaneous Items.

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

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
January 31, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Joint Resolution "B".

(Introduced as Senate Concurrent Resolution "B".)

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
January 31, 1935.

Mr. Speaker: I have the honor to transmit herewith:

SENATE JOINT RESOLUTION NO. "B"

(Introduced as Senate Concurrent Resolution "B").

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
January 31, 1935.

Mr. Speaker: I have the honor to transmit herewith:

SENATE JOINT RESOLUTION "A"

Also,

SENATE JOINT RESOLUTION "C"

Also,

SENATE CONCURRENT RESOLUTION "H"

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

DEPARTMENT OF STATE

Bismarck, North Dakota

January 31, 1935.

Mr. F. E. Tunell,
Secretary of the Senate,
24th Legislative Assembly,
State of North Dakota.

Dear Sir:

I have the honor to acknowledge receipt of the following resolutions filed in this office today:

Senate Memorial Resolution No. A.

Senate Memorial Resolution No. B.

Senate Resolution No. E.

Very truly yours,

JAMES D. GRONNA,
Secretary of State.

By Charles Liessman,
Deputy.

CL:W

JOINT RESOLUTION NO. "D"

Introduced by Senators McDonald and Greene of Stutsman

WHEREAS, A strike of considerable importance has been in progress in Fargo, for some time, the situation growing more serious daily, and it seems that the coal, ice and transfer employers involved are refusing to negotiate with their employees; making no effort to meet any of their demands, and

WHEREAS, These same employers have refused to abide by or recognize Section 7a of the National Recovery Act which gives their employees the right to organize and bargain collectively and to join unions of their own choosing and they have further refused to recognize the National Labor Relations Board or their authorized representative who was in Fargo recently for the purpose of mediating and settling the difficulties, and

WHEREAS, The police department of Fargo has deputized individuals of uncertain standing and interest in this controversy, who have used brute force in preventing the strikers from lawful peaceful picketing, who have committed unlawful acts of violence for the purpose of discrediting the strikers in the eyes of the public, and

WHEREAS, The police department and their hired thugs have carried on in a high-handed manner by raiding the headquarters of the strikers and hurling tear gas bombs into the room without due regard or consideration for innocent women and little children who were inside, and caused painful injury to at least one little innocent victim of their unlawful entry and further caused great numbers of the men to be thrown into jail without evidence of unlawful acts on the part of those men, and

WHEREAS, It appears that the employees of these coal and ice dealers are fighting against great odds wherein the court has granted injunctions against the union of which these strikers are members in violation of the spirit and letter of the anti-injunction law of this state.

NOW, THEREFORE, BE IT RESOLVED, That the Twenty-fourth Legislative Assembly of North Dakota, in regular session convened, enter vehement protest against these acts of violence and terrorism and demand the immediate release from jail of all strikers and we further demand that these men be accorded their full rights under Section 7A of the National Recovery Act and of the Constitution of the State of North Dakota and of the United States.

AND BE IT FURTHER RESOLVED, That copies of this resolution be given to the press and to the Governor of the State.

Referred to the Committee on Ways and Means.

Senator Greene of Stutsman asked unanimous consent to

have the rules suspended and Joint Resolution No. "D" placed upon second reading and final passage.

The request for unanimous consent was denied.

FIRST READING OF SENATE BILLS

Senator Miklethun introduced:

Senate Bill No. 83. A Bill for an Act to Amend and Re-enact the Initiated Measure Approved June 29, 1932, Entitled, "An Act to Amend and Re-enact Chapter 59 of the Laws of North Dakota for the Year 1917 as Amended by Chapter 220 of the Laws of North Dakota, Enacted by the Regular Session of the Legislature, for the Year 1919 as Amended by Chapter 298 of the Laws of North Dakota for the Year 1923, the Same Being Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Basis of Assessment of Property for Taxation Purposes, and to Reduce Such Basis from Seventy-five (75) per cent of the Full and True Value Thereof to Fifty (50) per cent of the Full and True Value Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith," Relating to the Basis of Assessment of Property for Taxation Purposes, and to Raise Such Basis from Fifty (50) per cent of the Full and True Value Thereof to One Hundred (100) per cent of the Full and True Value Thereof, and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

Senator Miklethun introduced:

Senate Bill No. 84. A Bill for an Act Limiting the Maximum Amount of Taxes Which Assessment Board May Levy and Assess Against Property, Real, Personal, and Mixed.

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

Senator Miklethun introduced:

Senate Bill No. 85. A Bill for an Act Constituting the Secretary of State as Agent for Service of Process Upon Non-residents Using or Operating Motor Vehicles on State Highways Where Damages or Loss to Person or Property Has Resulted from the Use of Such Highways, Fixing Fee for Service, and Keeping of Records.

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

Senators Miklethun and Peterson introduced:

Senate Bill No. 86. A Bill for an Act to Provide for Certain Exemptions from Taxation for Farm Owners Living Upon Their Farm.

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

Senators Vinje and Thatcher introduced:

Senate Bill No. 87. A Bill for an Act Regulating the Licensing of Persons Operating Motor Vehicles Upon the Highways of the State and Providing the Manner for Procuring License, Fees Therefor and Disposition of Fees, Exempting Certain Persons, for Suspension of License, and Appeal Therefrom, for Revocation of License, and Reinstatement, for Administration by State Highway Commissioner, Providing Penalties for Violations, and Repealing Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Highways.

Senator Bonzer introduced:

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Subdivision (e) of Section 1 of Chapter 161 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles.

Was read the first time and referred to the Committee on Highways.

Senator Bonzer introduced:

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 162 of the 1933 Session Laws, Providing for Taxation of Motor Vehicles Using the Highways of the State of North Dakota for Commercial Purposes, and Engaged in Transportation for Hire in Interstate Commerce.

Was read the first time and referred to the Committee on Highways.

Senator Bonzer introduced:

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Chapter 163 of the Session Laws of 1933, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles, That May Be Driven and Moved Upon the Highways of the State of North Dakota, and Prescribing Penalty for Violation Thereof.

Was read the first time and referred to the Committee on Highways.

Senator Bonzer introduced:

Senate Bill No. 91. A Bill for an Act Requiring Issuance of Receipt for Road Tax Paid Interstate Carriers, and Requiring Posting of Receipts.

Was read the first time and referred to the Committee on Highways.

Senator Bonzer introduced:

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Subdivision (i) of Section 1 of Chapter 188 of the Laws of 1931.

Was read the first time and referred to the Committee on Highways.

Senator Bonzer introduced:

Senate Bill No. 93. A Bill for an Act to Authorize and Direct the Board of Administration to Appoint a Chancellor for the Institutions of Higher Learning of the State, Eliminating Unnecessary Duplication, and Providing for the Co-ordination of Courses of Study in Our State Educational Institutions Insofar as it is Practicable.

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

Senator Thorson introduced:

Senate Bill No. 94. A Bill for an Act to Provide for Physical Examination of Persons Engaged in Driving Motor Propelled Vehicles Used for the Transportation of School Children, and to Provide Mechanical Inspection and Requirements of Such Vehicles, Also Providing for the Enforcement of the Provisions of This Act, and Punishment for Violation Thereof.

Was read the first time and referred to the Committee on Highways.

Senator Erickson asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Erickson moved to recall House Bill No. 23 from the House for further consideration.

Which motion prevailed.

Senator Erickson moved that when House Bill No. 23 is returned it be re-referred to the Committee on State Affairs.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
January 31, 1935.

Mr. Speaker: I respectfully request the return of House Bill 23 to the Senate for the purpose of reconsideration.

Very respectfully,

F. E. TUNELL,
Secretary.

SECOND READING OF SENATE BILLS

Senator Brostuen moved that the rules be suspended and that Senate Bill No. 57, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 57. A Bill for an Act to Amend and Re-enact Chapter 185 of the Session Laws of 1929 and Section 487 of the Compiled Laws of 1913, Relating to the Regulation of the Practice of Pharmacy, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 44; nays, 1; absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Eastgate	Lind	Thorson
Erickson	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Matthaei	Trovatten
Fowler	McDonald	Vinje
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Those voting in the negative were:

Messrs.
Braaten

Absent and not voting:

Messrs.	Messrs.
Dubay	Marshall
Kolpin	Watt

So the bill passed and the title was agreed to, and the emergency clause declared carried.

The President announced that the gentlemen referred to by Senator Greene, of Stutsman, were now ready to address the Senate.

The President appointed Senator Greene, of Stutsman,

to escort Messrs. Dana, Campbell, Holm and Byrne to the rostrum.

Senator Greene, of Stutsman, moved that the Senate recess subject to the call of the chair.

Which motion prevailed.

The Senate stood recessed.

The Senate re-convened pursuant to recess taken.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
January 31, 1935.

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

HOUSE JOINT RESOLUTION B-3

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

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
January 31, 1935.

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

House Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws of North Dakota of the Year 1929, Relating to the Custodian of the State Capitol and Grounds and Describing his Powers, Duties and Compensation; and Appointing Such Custodian.

Which the Senate has requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 9 of the Session Laws of North Dakota of 1933, Relating to Wolf Bounty; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as

amended, the roll was called and there were ayes, 38; nays, 3; absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Peterson
Cain	Jones	Strehlow
Coffey	Kroeber	Stucke
Crandall	Lemke	Thatcher
Drew	Lind	Thorson
Dubay	Lowe	Topp
Ettestad	Lynn	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Gronvold	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Mutchler	Owings

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	Kamrath	Trout
Erickson	Kolpin	Trovatten
Greene, Stutsman	Marshall	

So the bill passed and the title was agreed to, and the Emergency Clause declared carried.

Senator Whelan moved that Senate Bill No. 66 be laid over one legislative day.

Which motion prevailed.

Senate Bill No. 63. A Bill for an Act Providing for the Appointment and Removal at Pleasure of a Procurement Officer as Required Under the Rules and Regulations of the Act of Congress Known as the Emergency Conservation Work Act, and of an Assistant, Fixing Their Salary and Making Appropriation Therefor, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings

Messrs.	Messrs.	Messrs.
Cain	Kamrath	Peterson
Coffey	Lemke	Strehlow
Crandall	Lind	Stucke
Drew	Lowe	Thatcher
Dubay	Lynn	Topp
Ettestad	Matthaei	Trout
Fine	McDonald	Vinje
Fowler	McGillic	Watt
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Mutchler	Wog
Gronvold	Nelson, Barnes	Young
Handley		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kroeber	Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	Greene, Stutsman	Marshall
Erickson	Kolpin	Trovatten

So the bill passed and the title was agreed to, and the Emergency Clause declared carried.

SENATE CONCURRENT RESOLUTION "G"

Was read the second time.

ROLL CALL

The question being on the 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:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kroeber	Stucke
Crandall	Lemke	Thatcher
Drew	Lind	Thorson
Dubay	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Matthaei	Vinje
Fine	McDonald	Watt
Fowler	McGillic	Whelan
Fredrickson	Miklethun	Wog
Greene, Cavalier	Mutchler	Young
Gronvold	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	Kolpin	Trovatten
Greene, Stutsman	Marshall	

So the resolution was adopted.

SENATE CONCURRENT RESOLUTION "I"

Was read the second time.

ROLL CALL

The question being on the adoption of the Resolution, the roll was called and there were ayes, 39; nays, 5; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kroeber	Stucke
Crandall	Lemke	Thatcher
Drew	Lind	Thorson
Dubay	Lynn	Topp
Erickson	Matthaei	Trout
Ettestad	McDonald	Vinje
Fine	McGillic	Whelan
Fredrickson	Miklethun	Wog
Greene, Cavalier	Mutchler	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fowler	Lowe	Watt
Johnson	Strehlow	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	Kolpin	Trovatten
Greene, Stutsman	Marshall	

So the resolution was adopted.

Senator Watt: "I am going to vote 'no' on this. I believe in an Old Age Pension but I do not believe this Legislature should memorialize Congress on a proposition that is absolutely impossible, so I vote 'no' altho I am not against an Old Age Pension."

FIRST READING OF HOUSE BILLS

HOUSE JOINT RESOLUTION "B-3"

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 33. 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 1923, the Same Being Sections 2790a1-2790a18 of the Supplement to the 1913 Compiled Laws of North Dakota.

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

House Bill No. 79. A Bill for an Act to Provide for Fraud or Fraudulent Concealment of Facts Constituting a Cause of Action, to Postpone or Toll the Running of the Statute of Limitations.

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

House Bill No. 78. A Bill for an Act to Amend and Re-enact Section 7375 of the 1913 Compiled Laws, Enumerating the Kinds of Actions Which Must Be Commenced Within Six Years After the Cause of Action Accrues.

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

HOUSE CONCURRENT RESOLUTION "A-9"

Was read the first time.

Senator Watt moved that House Concurrent Resolution "A-9" be referred to the Committee on Appropriations.

Which motion prevailed.

HOUSE CONCURRENT RESOLUTION "A-6"

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

SECOND READING OF HOUSE BILLS

HOUSE CONCURRENT RESOLUTION "A-3"

Was read the second time.

ROLL CALL

The question being on the adoption of the Resolution, 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.
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kroeber	Strehlow
Crandall	Lemke	Stucke
Drew	Lind	Thatcher
Dubay	Low	Thorson
Erickson	Lynn	Topp
Ettestad	Marshall	Trout
Fine	McDonald	Vinje
Fowler	McGillic	Watt
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Mutchler	Wog
Gronvold	Nelson, Barnes	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Matthaei
Eastgate	Kolpin	Trovatten

So the Resolution was adopted.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

P. F. Hasse, Tappen; Pete Olson, Bucyrus; Anthony Kostelecky, John Kostelecky, Henry Brown, Dr. Weir, Robert Gilliam, Herman Rabe, Wenzel Jirges, all of Dickinson; Leo Wagner, Sanborn; Dr. R. E. Shigley, Kenmare; C. A. McCarty, Fryburg; Peter P. Kraft, Strasburg; Fred Bentz, Jr., S. T. Rauk, H. E. Hill and Calvin Schirmke of Harvey; Mrs. George Scott, Clementsville; Christ Fluetsch, Joe Schmidt, R. R. Wright, Emil Frey and Mr. and Mrs. Charles Frey, all of Jamestown; Mrs. M. S. Stenehjem, Arnegard; A. W. Reinke and C. P. Rapsavage, Center; A. J. Cunningham, Harry Peton, J. D. Beakey, J. N. Urness, Asley Bjella and Gilman Wang of Williston; Joe Runck, Durbin; Dennis Ford, Wheatland; Wm. Austin, Otis Nelson, George Nessneimer and Albert Sinner of Casselton; Mr. and Mrs. Karl Krueger and Mr. and Mrs. Wm. F. Stroebel of Fessenden; George A. McFarland, Minot, W. F. Kurke, Fargo.

Senator Ettetstad moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

TWENTY-FIFTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 1, 1935.

The Senate convened pursuant to adjournment, President Welford presiding.

Prayer by Chaplain, Rev. N. E. McCoy.

All Senators were present except Senator Kolpin.

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 twenty-fourth day and found the same to be correct.

And recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 1, 1935.

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

JOINT MEMORIAL RESOLUTION No. "A"

Also,

JOINT RESOLUTION "C"

Also,

SENATE CONCURRENT RESOLUTION No. "H"

Also,

JOINT RESOLUTION No. "B"

Which the Speaker has signed.

Also,

SENATE CONCURRENT RESOLUTION "D"

Which the House has adopted.

Also,

Senate Bill No. 26. A Bill for an Act to Provide for the Scaling Down and Discounting of Past Due Interest on Loans Made by the Board of University and School Lands.

Which the House has passed unchanged.

Also,

Senate Bill No. 40. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by the Wahpeton Military Training School as Mortgagor to the State of North Dakota as Mortgagee, Dated October 4, 1910, Filed for Record in the Office of the Register of Deeds of Richland County, North Dakota, on October 12, 1910, at 11:30 A. M. and Recorded in Book 69 of Mortgages, at Page 176, and Covering Lots Numbered Sixteen (16) and Seventeen (17) in Block Thirty-seven (37) of the Original Townsite of the City of Wahpeton, Richland County, North Dakota, Insofar as Said Mortgage Is a Lien Upon and Affects Said Lot Sixteen (16) But Not Otherwise, and Declaring an Emergency.

Also transmit:

House Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

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

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 1, 1935.

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

Senate Bill No. 12. A Bill for an Act to Prohibit Marathon Dances, Walkathons, Skatathons, or any Endurance Contest and Providing Penalties for any Person, Firm, or

Corporation Participating in, Attending or Promoting Such Contest, and Declaring an Emergency.

Which the House has amended.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A resolution presented by Senator Kamrath, signed, Wm. Johnson and forty-three other lignite miners, asking that no revenue legislation be passed with respect to lignite until an investigation of facts is made.

Also, two letters bearing forty-seven signatures, presented by Senator Cain, condemning a Lignite tax.

A like resolution presented by Senator Stucke, signed, Milandt Christianson and forty-seven other taxpayers of McLean County, condemning a fifty cent Lignite tax.

Referred to the Committee on Taxes and Tax Laws.

Communications in the form of one telegram and two letters, were presented by Senator Brostuen, condemning any additional gas tax.

Referred to the Committee on Highways.

A telegram presented by Senator Brostuen, signed, Otto Moos, demanding support of Senate Bill No. 57.

Referred to the Committee on State Affairs.

A resolution presented by Senator Lind, signed, Don Penman and 145 others, demanding a non-medical Superintendent and Chiropractic Assistants at the State Hospital for the Insane.

Referred to the Committee on Taxes and Tax Laws.

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. 66. A Bill for an Act to Provide for the Creation of a North Dakota Tax Survey Commission, Defining its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

And find the same correctly re-engrossed.

Also,

Senate Bill No. 18. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

And find the same correctly engrossed.

Also,

Senate Bill No. 31. A Bill for an Act to Amend and Re-enact Section 9163 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Appeals From Justice Courts.

Also,

Senate Bill No. 33. A Bill for an Act Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply with This Law.

And find the same correctly Enrolled.

THOMAS WHELAN,
Chairman.

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

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. 68. A Bill for an Act Amending and Re-enacting Sections 1, 4, 6 and 7 of Chapter 199 of the Session Laws of 1933, Establishing and Creating the North Dakota Regulatory Department, Providing for Appointment of a Director, Assistant Director and Seven Inspectors of said Regulatory Department, Fixing Their Salaries and Expenses, Providing for the Deposit of All Moneys Collected by Said Regulatory Department in a Revolving Fund to Be Designated as the "State Regulatory Fund" and the Payment of All Salaries and Expenses Out of Such Fund Upon Allowance by the State Auditing Board, for the Transfer Monthly of Part of Said Fund to the General Fund of the State. Providing for the Duties of Said Director, Assistant Director and Expenses of Said Department, Transferring to Said Regulatory Department from the Officers Now Charged Therewith the Enforcement of Certain Regulatory Laws of This State, Imposing Certain Duties as to Inspection and Licensing of Weights and Measures and as to Collection of Certain Taxes, Providing for Additional Help and for Purchase of Equipment for Said Department, Requiring Officers and Board Superseded by Said Department to Account for and Deliver Books and Equipment of Their Office, and

Repealing All Acts or Parts of Acts in Conflict Herewith, Declaring an Emergency and Providing for Transfer of Certain Unexpended Funds.

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

CONCURRENT RESOLUTION NO. "F"

A Concurrent Resolution Relating to Telephone Toll Rates Within the State of North Dakota.

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 36. A Bill For an Act to Amend and Re-enact Sections 1 and 2 of Chapter 205 of the Session Laws of 1931, State of North Dakota, as Amended by Chap. 185, Session Laws of 1933, and Repealing Parts of Said Sections, Providing for the Construction of a Capitol Building for the State of North Dakota and for That Purpose Creating a Board of Capitol Commissioners, Defining Their Powers and Duties, Making Appropriations for That Purpose, Providing and Appropriating Tax Levies and the Proceeds of Sale of Capitol Lands Thereto, and Authorizing the Issuance of Interest Bearing Certificates Against the Capitol Building 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:

"For an Act to repeal Sub-sections C and E of Section 1 of Chapter 185, Laws of 1933, and to amend and re-enact Section 2 of Chapter 205, Laws of 1931, relating to the Board of State Capitol Commissioners, and declaring an emergency.

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

Section 1. Repeal) That Sub-sections C and E of Section 1 of Chapter 185, Laws of 1933, be and the same are hereby repealed.

Section 2. Amendment) That Section 2 of Chapter 205, Laws of 1931, be and the same is hereby amended and re-enacted to read as follows:

Section 2. Secretary, Compensation, Duties.) The Secretary of the Board of Administration of the State of North Dakota shall, without additional compensation, be the Secretary of the Board of Capitol Commissioners. He shall file such oath and bond, if any, and keep such records and perform such duties as shall be required by the Board.

Section 3. Emergency.) Whereas, an emergency exists, now therefore, this act shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

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

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 1, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 57. A Bill for an Act to Amend and Re-enact Section 486 and Section 487 of the Compiled Laws of 1913, Relating to the Regulation of the Practice of Pharmacy.

Also,

Senate Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 9 of the Session Laws of North Dakota of 1933, Relating to Wolf Bounty; and Declaring an Emergency.

Also,

Senate Bill No. 63. A Bill for an Act Providing for the Appointment and Removal at Pleasure of a Procurement Officer as Required Under the Rules and Regulations of the Act of Congress Known as the Emergency Conservation Work Act, and of an Assistant, Fixing Their Salary and Making Appropriation Therefor, and Repealing All Acts

or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the Senate has passed.

Also,

SENATE CONCURRENT RESOLUTION "G"

Also,

SENATE CONCURRENT RESOLUTION "I"

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 1, 1935.

Mr. Speaker: I have the honor to return herewith the following resolution:

HOUSE CONCURRENT RESOLUTION "A-3"

Which the Senate has adopted unchanged.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Johnson moved that all absent Senators be excused.

Which motion prevailed.

Senator Whelan moved that the Senate do concur in the House amendment to Senate Bill No. 12.

Which motion prevailed.

Senator Whelan moved that the rules be suspended and that Senate Bill No. 12, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 12. A Bill for an Act to Prohibit Marathon Dances, Walkathons, Skatathons, or any Endurance Contest and Providing Penalties for any Person, Firm, or Corporation Participating in, Attending or Promoting Such Contest, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young

Absent and not voting:

Messrs.
Kolpin

So the bill passed and the title was agreed to, and the Emergency Clause declared carried.

Senator Whelan moved that the vote by which Senate Bill No. 12 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Matthaei moved that the vote by which Senate Bill No. 57 was passed be reconsidered.

Which motion prevailed.

Senator Matthaei moved that Senate Bill No. 57 be referred to the Committee on State Affairs, the committee which previously considered the Bill.

Which motion prevailed.

FIRST READING OF SENATE BILLS

Senator Cain introduced:

Senate Bill No. 95. A Bill for an Act to Amend and Re-enact Section 7643, Supplement to the Compiled Laws of 1913, Relating to Directed Verdicts, and Declaring an Emergency.

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

Committee on Insurance introduced:

Senate Bill No. 96. A Bill for an Act to Amend and Re-enact Sections 189b1 and 189b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and to Amend and Re-enact Sections 189b3, 189b5, 189b7, 189b8, 189b9, 189b10, 189b11, 189b12, 189b13, 189b15, 189b21, 189b25, and 189b29 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota as Amended and Re-enacted by Chapter 170 of the 1931 Session Laws of North Dakota, and as Amended and Re-enacted by Sections 1, 2, 3, 4, 5, 7, 10, 11, 12, 15, 17, and 18 of Chapter 137 of the 1933 Session Laws of North Dakota, and Section 10 of Chapter 170 of the 1931 Session Laws of the State of North Dakota, Repealing All Acts or Parts of Acts in Conflict Herewith; Relating to State Hail Insurance, Providing for Insuring Crops Against Loss by Hail, Defining Duties of the Assessors; Providing for Collections of Taxes, Fixing Amounts and Providing for Adjustment of Claims of Indemnity; and Abatement of Hail Indemnity Tax and Correction of Records and Declaring an Emergency.

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

Senators Jones and Coffey introduced:

Senate Bill No. 97. A Bill for an Act Relating to Refunding Special Improvement Warrants, Repealing Inconsistent Acts and Declaring an Emergency.

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

Senators Jones and Coffey introduced:

Senate Bill No. 98. A Bill for an Act to Amend and Re-enact Subsection (3) of Section 1, Chapter 196, Session Laws of North Dakota for the Year 1927.

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

Senator Brostuen introduced:

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Sub-section 8 of Section 4 of Chapter 196, Session Laws of North Dakota for 1927, Entitled "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, 2882a1, 2882a2, 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," Relating to Municipalities, Including School Districts, Borrowing Money by Means of Bond Issues, in Order to Provide Necessary Funds for Payment of Principal and Interest of Bonds Due or About to Become Due, and Declaring When Certain Bonds are Considered as Due and Payable.

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

Senators Brostuen and Trovatten introduced:

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, Sub-section (b) of Section 4, and Section 13 of Chapter 215, Session Laws of 1931.

Was read the first time and referred to the Committee on Agriculture.

Senators Brostuen and Trovatten introduced:

Senate Bill No. 101. A Bill for an Act to Establish a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Regulating the Sale and Distribution of the Same, Defining Certain Terms, Designating Standard Grades, Providing for an Inspection Service and for the Fixing of Fees and Other Charges and the Disposition of the Same, Defining Violations and Providing Penalties Therefor, Defining Certain Cooperative Functions, Charging Carriers with Certain Responsibilities, Providing for Enforcement and Prosecution, Providing for Effect of Partial Invalidity, and Providing for Administration of the Act Through the State Seed Commissioner and Giving Him Authority to Make Necessary Rules and Regulations, and to Administer Oaths, and to Have Free Access and Power of Seizure, and Providing for Supersedence of This Act.

Was read the first time and referred to the Committee on Agriculture.

Committee on Appropriations introduced:

Senate Bill No. 102. A Bill for an Act to Amend and Re-enact Section 1866A4 and Repeal Section 1866A6, Supplement to the Compiled Laws of 1913, Relating to the Northwest Agricultural Livestock and Fair Association, and Declaring an Emergency.

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

Committee on Appropriations introduced:

Senate Bill No. 103. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the

Maintenance of the Office of State Treasurer for the Remainder of the Fiscal Year Ending June 30, 1935, and Declaring an Emergency.

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

Senator McDonald introduced:

Senate Bill No. 104. A Bill for an Act to Prohibit the Employment of Married Women in All State Offices, Departments, Bureaus, Boards, and Commissions; and Providing a Penalty Therefor.

Was read the first time and referred to the Committee on Ways and Means.

Senators Erickson and Matthaai introduced:

Senate Bill No. 105. A Bill for an Act Regulating the Right and Remedy to Recover Damages for Negligence, or Wanton, Willful or Wrongful Act, Resulting in Loss of Human Life, or Injury to Person or Property; Modifying the Common Law Rule of Contributory Negligence; Providing for Survival of Cause of Action in Case of Death and for Making Insurer a Party to Action, and Exempting from the Provisions Hereof Certain Classes of Cases.

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

Senators Erickson and Matthaai introduced:

Senate Bill No. 106. A Bill for an Act to Repeal Chapter 184 of the Laws of North Dakota for 1931, Relating to Relieving the Owner, Driver, or Person Responsible for the Operation of a Motor Vehicle Upon the Public Highways from Civil Liability for the Accidental Death of or Injury to a Guest Riding in Such Vehicle.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 66. A Bill for an Act to Provide for the Creation of a North Dakota Tax Survey Commission, Defining its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer
Braaten

Messrs.
Handley
Johnson

Messrs.
Nelson, Grand Fks.
Peterson

Messrs.	Messrs.	Messrs.
Brostuen	Jones	Strehlow
Cain	Kamrath	Stucke
Coffey	Kroeber	Thatcher
Crandall	Lemke	Thorson
Drew	Lowe	Topp
Eastgate	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.
Dubay	Owings

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Kolpin	Lind

So the bill passed and the title was agreed to, and the 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 for the Tuberculosis Sanatorium at San Haven, North Dakota.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Grand F'ks.
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kroeber	Stucke
Crandall	Lemke	Thatcher
Drew	Lowe	Thorson
Dubay	Lynn	Topp
Eastgate	Marshall	Trout
Ettestad	Matthaei	Trovatten
Fine	McDonald	Vinje
Fowler	McGillic	Watt
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Mutchler	Wog
Greene, Stutsman	Nelson, Barnes	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Kolpin	Lind

So the bill passed and the title was agreed to.

Senate Bill No. 71. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit for Maintenance of the Capitol from February 1, 1935, to June 30, 1935, in the Office of the Board of Administration, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lowe	Topp
Eastgate	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Young
Greene, Stutsman	Mutchler	

Those voting in the negative were:

Messrs.
Thorson
Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Kolpin	Lind

So the bill passed and the title was agreed to, and the Emergency Clause declared carried.

FIRST READING OF HOUSE BILLS

House Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

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

Senator Fredrickson asked unanimous consent to return to the Fifth Order of Business.

Which request was granted.

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

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

HOUSE CONCURRENT RESOLUTION "A-9"

A Concurrent Resolution Providing and Designating House and Senate Employees, and Naming and Fixing Their Salaries.

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

On page 3 of the Resolution, in line 25, after the name "Joe LePire" strike out the figures "5.00" and insert in lieu thereof the figures "4.50."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

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

Senators Marshall and Greene of Stutsman, Subcommittee on Education, reported their interview with Messrs. Atwater and Anderson, direct representatives of Mr. Hopkins. They advised a further report would be made when more information was available.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 1, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 18. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

Also,

Senate Bill No. 66. A Bill for an Act to Provide for the Creation of a North Dakota Tax Survey Commission, Defining its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 71. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit for Maintenance of the Capitol from February 1, 1935, to June 30, 1935, in the Office of the Board of Administration, and Declaring an Emergency.

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

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 1, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 12.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Fine asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Fine announced that he being mindful of the courtesy which the Senators and the President of the Senate had extended to his home during recent illness, moved that a similar courtesy be extended to Senator Kolpin with a message of solicitation for the welfare of his family in their present illness.

Which motion prevailed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

H. E. Haney, A. H. Anderson, H. A. Sorenson, O. F. Talkington, Belfield; Mr. and Mrs. Joe J. Huber, Napoleon; P. H. Mueller, Wishek; Alvin Purcell, Grand Forks; Henry Teiselman, Jack Shorb, Lyle Miller, Mohall; C. M. Christianson, Carpio; P. M. Shefeland, Frank Traynor, E. A. Nelson and W. H. Murphy, of Van Hook.

Senator Erickson moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

TWENTY-SIXTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 2, 1935.

The Senate convened pursuant to adjournment, President Welford presiding.

Prayer by Chaplain, Father Holleman.

Roll Call: All Senators were present except Senators Kolpin, Lowe, Watt and Young.

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 Twenty-fifth day and found the same to be correct.

And recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 2, 1935.

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

HOUSE CONCURRENT RESOLUTION A-4

Which the House has adopted.

Also,

House Bill No. 64. A Bill for an Act to Amend and Re-enact Section 35 of Chapter 148 of the 1931 Session Laws,

Relating to the Bag and Possession Limits on Protected Game Birds.

Also,

House Bill No. 76. A Bill for an Act to Amend and Re-enact Chapter 264 of the Session Laws of 1933, Being an Act to Suspend the Operation of Section 2202 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 199 of the Session Laws of 1925, (Section 2202 of the 1925 Supplement to the Compiled Laws of 1913) and as Amended by Chapter 266 of the Session Laws of 1927, Relating to Tax Deeds to Be Issued to the County Upon the Expiration of the Period of Redemption, Upon Due Notice; Tax Deeds to the County and Sale of Property So Acquired Until December 31st, 1935, Further Extend the Time of Suspension to December 31st, 1937; and Suspending the Operation of All Acts or Parts of Acts in Conflict Here-with and Declare an Emergency.

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

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A petition presented by Senator Greene, of Stutsman, signed, C. L. Jensen, and 66 others, condemning a tax on lignite.

A letter was presented by Senator Lind, signed, Mac Nelson, Williston, Coal Operators Association, condemning a lignite tax.

Referred to the Committee on Taxes and Tax Laws.

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. 12. A Bill for an Act to Prohibit Marathon Dances, Walkathons, Skatathons, or any Endurance Contest and Providing Penalties for any Person, Firm, or Corporation Participating in, Attending or Promoting Such Contest, and Declaring an Emergency.

Also,

Senate Bill No. 26. A Bill for an Act to Provide for the Scaling Down and Discounting of Past Due Interest on Loans Made by the Board of University and School Lands.

Also,

Senate Bill No. 40. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by the Wahpeton Military Training School as Mortgagor to the State of North Dakota as Mortgagee, Dated October 4, 1910, Filed for Record in the Office of the Register of Deeds of Richland County, North Dakota, on October 12, 1910, at 11:30 A. M. and Recorded in Book 69 of Mortgages, at Page 176, and Covering Lots Numbered Sixteen (16) and Seventeen (17) in Block Thirty-seven (37) of the Original Townsite of the City of Wahpeton, Richland County, North Dakota, Insofar as Said Mortgage Is a Lien Upon and Affects Said Lot Sixteen (16) But Not Otherwise, and Declaring an Emergency.

Also,

CONCURRENT RESOLUTION NO. "D"

A resolution memorializing the Congress of the United States to act favorably, and with as much speed as possible upon House Joint Resolution Number 66, providing for a Constitutional Amendment doing away with the issuance of tax exempt bonds.

And find the same correctly Enrolled.

Also,

Senate Bill No. 36. A Bill for an Act to Repeal Sub-sections C and E of Section 1 of Chapter 185, Laws of 1933, and to Amend and Re-enact Section 2 of Chapter 205, Laws of 1931, Relating to the Board of State Capitol Commissioners, and Declaring an Emergency.

And find the same correctly Engrossed.

Also,

HOUSE CONCURRENT RESOLUTION "A-9"

A concurrent resolution providing and designating House and Senate employees, and naming and fixing their salaries.

And find the same correctly Re-engrossed.

THOMAS WHELAN,
Chairman.

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

REPORT OF STANDING COMMITTEES

The Committee on Elections made the following report:

Mr. President: A majority of your Committee on Elections to whom was referred:

Senate Bill No. 39. A Bill For an Act to Repeal Sections 992, 993, 994, 996, 997, 998, 999, 1000, 1001, 1002, 1003, and 1004 of the Compiled Laws for the Year 1913, the Same Also Being Chapter 155, Section 1 to 13 Inclusive, of the Session Laws of 1913 Known as the Absent Voter's Law Together With all Amendments Thereto or to Any of the Sections Thereof Expressly Including Those Amendments Enacted by Chapter 136 Session Laws 1931.

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

W. J. TROUT,
OTTO TOPP,
F. T. GRONVOLD.

The Committee on Elections made the following report:

Mr. President: A minority of your Committee on Elections to whom was referred:

Senate Bill No. 39. A Bill for an Act to Repeal Sections 992, 993, 994, 996, 997, 998, 999, 1000, 1001, 1002, 1003, and 1004 of the Compiled Laws for the Year 1913, the Same Also Being Chapter 155, Section 1 to 13, Inclusive, of the Session Laws of 1913, Known as the Absent Voter's Law Together With all Amendments Thereto or to Any of the Sections Thereof Expressly Including Those Amendments Enacted by Chapter 136, Session Laws 1931.

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

WILLIAM KROEBER,
ED. GREENE.
O. E. ERICKSON, Chairman.

Senator Gronvold moved that the majority report be adopted.

Which motion was seconded.

Senator Erickson moved as a substitute motion that the word "minority" be substituted for the word "majority."

Which motion was seconded.

Senator Fine moved that Senate Bill No. 39 be indefinitely postponed.

Which motion prevailed.

The Committee on Elections made the following report:

Mr. President: Your Committee on Elections to whom was referred:

Senate Bill No. 72. A Bill for an Act to Amend and Re-enact Section 922, Compiled Laws of 1913, Relating to Posting of Notices of Primary Election.

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

O. E. ERICKSON,
Chairman.

Senator Erickson 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. 55. A Bill for an Act to Amend and Re-enact Section 916, of the Compiled Laws of North Dakota for the Year 1913, Pertaining to Payment of Expenses of Delegates to National Conventions.

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

In lines 8 and 9 following the word "delegates," strike out the words "for political parties who are not subject to the direct primary law."

In lines 11 and 12 following the word "delegate," strike out the words "to a national convention which nominates candidates for president and vice-president."

In line 14 following the word "and," insert the words "of the state of."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

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

The Committee on Judiciary made the following report:

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

House Bill No. 68. A Bill Relating to the Bonds to be Furnished by County Judges, Clerk of District Court and/or Register of Deeds Filing Offices as Consolidated by Reason of Chapter 84 Laws of 1933.

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

In line 1 of the title of the engrossed bill before the word "Relating," insert the words "For an Act."

In line 3 of the title of the engrossed bill, strike out the words "by reason of" and insert in lieu thereof the words "pursuant to the provisions of."

After the figures "1933," strike out the "period" and insert in lieu thereof a "comma" and the following words: "and declaring an emergency."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain 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. 80. A Bill for an Act to Amend and Re-enact Section 2178 of the Compiled Laws of 1913 Relating to Fees of Sheriff or His Deputy for Making Distress and Sale of Goods and Chattels for the Payment of Taxes, and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

J. P. CAIN,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 20. 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.

L. O. FREDRICKSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment of the School for the Deaf at Devils Lake, North Dakota.

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

L. O. FREDRICKSON,
Chairman.

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

Senator Cain moved that Senate Bill No. 25 be re-referred to the Committee on Cities and Municipal Corporations.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws of North Dakota of the Year 1929, Relating to the Custodian of the State Capitol and Grounds and Describing his Powers, Duties and Compensation; and Appointing Such Custodian.

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

On page 3 of the printed bill, strike out the words and figures "Eighteen Hundred (\$1,800.00) Dollars" and insert in lieu thereof the following: "Fifteen Hundred Dollars (\$1,500.00.)"

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

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

The Committee on Agriculture and Labor made the following report:

Mr. President: Your Committee on Agriculture and Labor to whom was referred:

HOUSE CONCURRENT RESOLUTION No. "A-2"

Memorial to Our President and Congress

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

On line 9, after the word "Frazier," insert the following: "-Lemke."

On line 10, after the word "Bill," insert the words "U. S. Senate Bill" and the figures "212."

On line 41, after the word "Frazier," insert the following: "-Lemke."

On line 50, after the word "Frazier," insert the following: "-Lemke."

On line 50, strike out the word "seven," and insert in lieu thereof the following: "twenty or more."

On line 50, after the word "Legislature," strike out the comma and insert in lieu thereof the word "including."

On line 56, after the word "restored," add the following paragraph:

"BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to President Franklin D. Roosevelt, The President of the United States Senate, The Speaker of the United States House of Representatives, the Honorable Henry A. Wallace, Secretary of Agriculture, Congressmen William Lemke and Usher L. Burdick, U. S. Senators Lynn J. Frazier and Gerald P. Nye."

And when so amended recommend the same do pass.

HERMAN THORSON,
Chairman.

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

Senator Dubay moved that all absent Senators be excused.

Which motion prevailed.

Senator McDonald moved that the Senate do now recess for fifteen minutes.

Which motion prevailed.

The Senate re-convened pursuant to recess taken.

Senator Bonzer asked unanimous consent to withdraw Senate Bill No. 60.

Which request was granted.

SENATE CONCURRENT RESOLUTION "O"

Introduced by Senators Bonzer, Stucke and Erickson

WHEREAS, North Dakota's pioneers were attracted here by its agricultural possibilities, and almost all basic wealth is farm produced, and 63 percent of its people are residents of rural communities; and

WHEREAS, cities and towns were established to best serve the producers as business, educational, religious and recreational centers so necessary to our progress, and supply grain and stock markets, rail connections, etc.; and

WHEREAS, highways should be built for the purpose of giving the farmers the easiest possible access to these community centers, since highways have largely superseded other means of business and social intercourse and traffic; and

WHEREAS, the policy of State and Federal Highway authorities of recent years seems to have unsympathetically disregarded the interests of towns and cities by routing, even secondary road projects, without regard to community needs, as is glaringly shown by a glance at the State road map; and

WHEREAS, this policy has caused stagnation and in other ways retarded progress, and partially destroyed the usefulness of a number of the smaller towns in our State thus tearing down the work of generations by the destruction of investments and hampering business, social and educational progress.

THEREFORE, BE IT RESOLVED, by the Senate of the State of North Dakota, the House of Representatives concurring, that the Federal and State authorities be and are hereby urged to cooperate in a program of highway construction, giving due and proper attention to the needs of our urban and rural communities, in recognition of the fact that North Dakota is pre-eminently a small town state; and

BE IT FURTHER RESOLVED, That the Legislative Assembly of the State of North Dakota deems such a revised road construction policy, favoring in all possible ways, the farmers primary markets to be of the utmost importance to the economic and civic welfare of our entire state.

BE IT FURTHER RESOLVED, That the Secretary of State be and is hereby instructed to forward certified copies of this joint Resolution to the Bureau of Public Roads in Washington, D. C., and to the North Dakota State Highway Commissioner and to the United States Senators and Congressmen representing the State of North Dakota in the National Congress, in a sincere effort to secure for our people official action in conformity to above expressions of this Resolution.

Referred to the Committee on Highways.

SENATE CONCURRENT RESOLUTION "P"

Introduced by Senator Peterson

Memorializing Congress to support House Joint Resolutions No. 15, 83, and 86, introduced in the Congress of the United States by Representative Burdick:

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA; THE HOUSE OF REPRESENTATIVES CONCURRING:

WHEREAS, Congressman Usher L. Burdick has introduced in the House of Representatives of the United States Congress the following Resolutions, to-wit:

House Joint Resolution number 15, which has for its object the cancellation of all feed and seed loans hereto-

fore made, or hereafter to be made, by the United States Government through the Farm Credit Administration to farmers living in the drought district:

House Joint Resolution number 83, which has for its object the establishment of a national moratorium with respect to debts financed directly or indirectly by government credit guarantee or authority, in order to prevent foreclosure or execute sales of homes and business establishments in the United States for a period of two years; and

House Joint Resolution number 86, which has for its object the appointment of a joint committee of seven (7), three (3) to be selected from the Senate and four (4) from the members of the House, with full power to inquire into Federal Emergency Relief distribution, including feed for livestock, and authorizing inquiry into the feasibility of allocating funds for Federal Emergency Relief to the various states; and

WHEREAS: We are in hearty accord with all of said several resolutions and the objects to be accomplished thereby:

THEREFORE, BE IT RESOLVED: That we do urge the Congress of the United States to take such steps as shall be necessary to carry out the purposes of said several resolutions.

BE IT FURTHER RESOLVED: That copies of this resolution be sent to the Secretary of Senate, Speaker of the House of Representatives of the United States Congress and to the Honorable Usher L. Burdick.

Referred to the Committee on Agriculture.

FIRST READING OF SENATE BILLS

Senator Miklethun introduced:

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 339 of the Compiled Laws of North Dakota for 1913, Relating to Selection of School Lands for Leasing, Advertising Same, Auction When Held, Commencement of Lease, and Repealing All Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Public Lands.

Senator Mutchler introduced:

Senate Bill No. 108. A Bill for an Act to Amend and Re-enact Section 36 of Chapter 162 of the Session Laws of North Dakota for 1927 as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1931 and as Further Amended by Chapter 163 of the Session Laws of North Dakota for the Year 1933.

Was read the first time and referred to the Committee on Highways.

Committee on Appropriations introduced:

Senate Bill No. 109. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-third Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

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

Committee on Judiciary introduced:

Senate Bill No. 110. A Bill for an Act Declaring the Draining of a Meandered Lake Within the State of North Dakota to Be a Misdemeanor and Providing Penalties Therefor.

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

Senators Whelan, Cain, Fowler, and Nelson of Grand Forks introduced:

Senate Bill No. 111. A Bill for an Act Defining and Relating to Narcotic Drugs; Specifying the Persons Who May Sell, Prescribe, and Have Such Drugs in Their Possession; Establishing Regulations for the Manufacturer and Sale Prescription; Providing for License; Fixing Penalty for Violation of the Law and Repealing All Acts in Conflict Herewith:

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

Committee on Appropriations introduced:

Senate Bill No. 112. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Stenographers, and Clerkhire, Express and Freight, Postage, Telegrams and Telephones, Office Supplies, Printing, Traveling Expenses, and Miscellaneous Expenses of the State Geological Survey, and Declaring an Emergency.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 36. A Bill for an Act to Amend and Re-enact Sections 1 and 2 of Chapter 205 of the Session Laws of 1931, State of North Dakota, as Amended by Chap. 185, Session Laws of 1933, and Repealing Parts of Said Sections, Providing for the Construction of a Capitol Building for the State of North Dakota and for That Purpose Creating a Board of Capitol Commissioners, Defining Their Powers and Duties, Making Appropriations for That Purpose, Providing and Appropriating Tax Levies and the Proceeds of Sale of Capitol Lands Thereto, and Authorizing the Issuance of Interest Bearing Certificates Against the Capitol Building Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lind	Thorson
Erickson	Lynn	Topp
Ettestad	Marshall	Trout
Fine	Matthaei	Trovatten
Fowler	McDonald	Vinje
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Lowe	Young
Kolpin	Watt	

So the bill passed and the title was agreed to, and the emergency clause declared carried.

FIRST READING OF HOUSE BILLS

HOUSE RESOLUTION No. "A-4"

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

House Bill No. 76. A Bill for an Act to Amend and Re-enact Chapter 264 of the Session Laws of 1933, Being an Act to Suspend the Operation of Section 2202 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 199 of the Session Laws of 1925, (Section 2202 of the 1925 Supplement to the Compiled Laws of 1913) and as Amended by Chapter 266 of the Session Laws of 1927, Relating to Tax Deeds to Be Issued to the County Upon the Expiration of the Period of Redemption, Upon Due Notice; Tax Deeds to the County and Sale of Property So Acquired Until December 31st, 1935, Further Extend the Time of Suspension to December 31st, 1937; and Suspending the Operation of All Acts or Parts of Acts in Conflict Herewith and Declare an Emergency.

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

House Bill No. 64. A Bill for an Act to Amend and Re-enact Section 35 of Chapter 148 of the 1931 Session Laws,

Relating to the Bag and Possession Limits on Protected Game Birds.

Was read the first time and referred to the Committee on Game and Fish.

SECOND READING OF HOUSE BILLS

HOUSE CONCURRENT RESOLUTION "A-9"

Was read the second time.

ROLL CALL

The question being on the adoption of House Concurrent Resolution "A-9," 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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lind	Thorson
Erickson	Lynn	Topp
Ettestad	Marshall	Trout
Fine	Matthaei	Trovatten
Fowler	McDonald	Vinje
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Lowe	Young
Kolpin	Watt	

So the resolution was adopted.

Senator Stucke asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Stucke moved that the Senate return to the Fifth Order of Business and requested the Chairman of the Ways and Means Committee to give his report on House Resolution B-3.

Which motion was seconded.

Senator Stucke: "I am constrained and it is not very often that I back up in a situation like this but Mr. President this is the last time, I believe, that I am going to address you as President of the Senate, after this it

is 'Governor of North Dakota.' This being the fact, I am going to withdraw my motion and leave it to your honest, good judgment to settle the Fargo affair."

Which motion prevailed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Mrs. Einar Muus, Minot; Mr. and Mrs. W. R. Williams, Mr. and Mrs. F. W. Lonsbrough and Fritz Mongeon, of Bottineau; Grace Roherty and Mary Flo Wood, of Bismarck; Walter Bohlin, Carl Jacobson, Braddock; Alma Tweto, Lilly Sperling, Violet Bauer, Vernia Bauer, Lillian Aman, Emma Bauer, and Jelmer Friestad.

Senator Bonzer moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

TWENTY-EIGHTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 4, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall, presiding.

Prayer by Chaplain, Father Holleman.

Roll call: All Senators were present except Senators Nelson of Barnes, Lowe and Matthaai.

Senator Miklethun moved that all absent Senators be excused.

Which motion prevailed.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Twenty-sixth day and recommend that the same be corrected as follows:

Add the letter "s" to the word "Election" where it appears in the last three lines on page 3, and also where it appears in lines 15, 40 and 41 on page 4.

Also in line 35, page 7, after the word "House" insert the word "Concurrent."

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 4, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 36. A Bill for an Act to Repeal Sub-sections C and E of Section 1 of Chapter 185, Laws of 1933, and to Amend and Re-enact Section 2 of Chapter 205, Laws of 1931, Relating to the Board of State Capitol Commissioners, and Declaring an Emergency.

Which the Senate has passed.

Also,

HOUSE CONCURRENT RESOLUTION "A-9"

Which the Senate has amended.

And your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A resolution presented by Senator Johnson, signed, Richland County Holiday Association, condemning any Lignite or Gas Tax or Increased Appropriations.

A petition presented by Senator Brostuen, signed, R. J. Allen and 48 other citizens of Fairmount, condemning any additional Gas Tax.

A petition presented by Senator Mutchler, signed by 41 voters of the Twenty-fourth Legislative District, condemning a Lignite Tax.

Two petitions presented by Senator Vinje, signed, Hillsboro Lumber Company, and The St. Anthony and Dakota Elevator Company, respectively, condemning a tax on Lignite.

A resolution presented by Senator Brostuen, signed, J. A. Amble, Merchants' Association of Grand Forks, protesting further gas tax and diversion of funds intended for State road maintenance.

A petition presented by Senator Brostuen, signed, Art Solberg and 83 other legal voters of the State, giving several suggestions regarding State Taxation.

Referred to the Committee on Taxes and Tax Laws.

A petition presented by Senator Bonzer, signed, John P. Amaldy of the Minnesota State Highway Department, encouraging North Dakota in its efforts to establish a Highway Patrol.

Referred to the Committee on Highways.

A petition presented by Senator Johnson, signed, Richland County Medical Society, condemning House Bill No. 87.

Referred to the Committee on Public Health.

A petition presented by Senator Dubay, signed, Jack Pigeon and 43 others, asking that the wolf bounty be raised.

Referred to the Committee on Game and Fish.

A petition presented by Senator Lind, signed, J. O. Manger and 139 others, regarding elections in cities.

Referred to the Committee on Cities and Municipal Corporations.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 4, 1935.

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 State Historical Society.

Also,

House Bill No. 46. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 98, Session Laws of 1933, Relating to Expenditures for Poor Relief Purposes Where the Regular Appropriation is Insufficient and Where There is Not a Sufficient Unexpended Balance in any Funds to Meet an Emergency Created by Unusual and Unanticipated Demands for the Relief of the Poor, and Declaring an Emergency.

Also,

House Bill No. 80. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 199 of Session Laws of 1933, Transferring Certain Duties From the Regulatory Department of the State of North Dakota, to the Office of the State Dairy Commissioner, and Providing for the Payment of Expenses Incident to the Carrying Out of Such Duties, and Declaring an Emergency.

Also,

House Bill No. 92. A Bill for an Act to Amend and Re-enact Section 1176 of the Compiled Laws of 1913, Relating to Furniture, Maps, Register and School Library to be Furnished.

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

Also, Transmit:

HOUSE CONCURRENT RESOLUTION NO. A-3

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

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. 55. A Bill for an Act to Amend and Re-enact Section 916, of the Compiled Laws of North Dakota for the Year 1913, Pertaining to Payment of Expenses of Delegates to National Conventions.

And find the same correctly Re-engrossed.

THOMAS WHELAN,
Chairman.

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

REPORT OF STANDING COMMITTEES

A majority of your Committee on Judiciary made the following report:

Mr. President: The Majority of your Committee on Judiciary to whom was referred:

Senate Bill No. 44. A Bill for an Act Relating to Additional Alternate Exemptions for Persons Engaged in Farming, Dairying, Stockraising.

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

WM. A. THATCHER,
W. E. MATTHAEI,
A. S. MARSHALL,
C. W. FINE,
OLE ETTESTAD,
E. E. GREENE,
E. C. STUCKE,
MELVIN P. JOHNSON,
S. S. McDONALD.

A minority of your Committee on Judiciary made the following report:

Mr. President: The minority of your Committee on Judiciary to whom was referred:

Senate Bill No. 44. A Bill for an Act Relating to Additional Alternate Exemptions for Persons Engaged in Farming, Dairying, Stockraising.

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

T. E. WHELAN,
HARRY C. LYNN,
F. T. GRONVOLD,
GEORGE V. COFFEY,
A. W. FOWLER,
J. P. CAIN, Chairman.

Senator Thatcher moved that the majority report be adopted.

Senator Cain moved as a substitute motion that the word "Minority" be substituted for the word "Majority."

Which motion was seconded.

Senator Miklethun demanded a roll call.

ROLL CALL

The question being on the adoption of the Minority report, the roll was called and there were ayes, 17; nays, 27; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Topp
Coffey	Jones	Trovatten
Crandall	Lynn	Watt
Drew	McGillic	Whelan
Eastgate	Nelson, Grand Fks.	Young
Fowler	Strehlow	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Mutchler
Braaten	Kamrath	Owings
Brostuen	Kolpin	Peterson
Dubay	Kroeber	Stucke
Ettestad	Lemke	Thatcher
Fine	Lind	Thorson
Fredrickson	Marshall	Trout
Greene, Cavalier	McDonald	Vinje
Greene, Stutsman	Miklethun	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Lowe	Nelson, Barnes
Johnson	Matthaei	

So the motion for the adoption of the Minority report was declared lost.

The question being on the adoption of the Majority report, which motion prevailed and the report declared adopted.

Senator McDonald moved that the Chair appoint a committee of three to escort former Senator Murphy to the rostrum.

Which motion prevailed.

The Chair appointed as such committee Senators McDonald, Watt and Fowler.

Senator Fine announced that the Senate would appreciate a few remarks from its new presiding officer, Senator Marshall, President pro tem. of the Senate.

President pro tem Marshall: "Gentlemen of the Senate, I surely appreciate the honor that has been conferred on me and I am going to do the best I can to give you all a square deal. I am sure I will have the support of every member of the Senate. I consider every member a personal friend.

"We are confronted with an unusual situation at this time. There has never been a time when things were so unsettled and the legislature was looked to, to do so much for the people as today. I know you will all join with me in doing everything we can to get some legislation that will relieve this situation. I can see before us a lot of digging and grinding and I want to assure you that in my way I will do the best I can to assist you to relieve the situation."

Senator Fine moved that former Senator Murphy do now address the Senate.

Which motion prevailed.

Former Senator Murphy: "Mr. President and gentlemen of the Senate, I am very pleased indeed to have this opportunity to come back and visit the North Dakota Senate and to greet my old friends that I have served with in this Senate so many years. In the past we may have had different opinions on certain issues, but I want to assure you that today I have nothing but the most kindly feeling for every member of this Senate with which I have served in the past. It is easy for a man to differ in opinions at times with others, but so long as a man beat me honestly I always had respect for him.

"Since coming here today I have been received most graciously by every one of my old friends and I want to assure you that I appreciate it. I believe that this legislative body could perform a wonderful service to the State of North Dakota at this time. I never realized during the twenty years that I was a member of this Senate, that the people at home took so much interest in the legislative proceedings as I have during this session. That is because I have had an opportunity to be at home and hear the views of the people. The people in general are in hopes that this legislature will do the best they can to help the situation with legislation that is very badly needed.

"I really found after looking over your splendid building a little feeling of regret that I am no longer a member of

this Senate. I was not a candidate for re-election. After serving twenty years I thought I had served long enough and I went out scouting for a man to take my place that I knew would be a credit to this Senate and to North Dakota. I want to say to you that in Senator Coffey you have a gentleman of integrity and ability and I know you will find him a square shooter at all times. I would not want any other kind of a man to come down here and take my place.

"I am very pleased to be here today and greet you all individually and collectively and I wish you all the very best of success, and I thank you for this privilege of addressing you."

FIRST READING OF SENATE BILLS

Senator Cain Introduced:

Senate Bill No. 113. A Bill for an Act Amending and Re-enacting Section 1 of Chapter 267 of the 1933 Session Laws Relating to the Duty of the County Treasurer to Receive County Warrants in Payment of Certain Taxes, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

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

Senators Miklethun, Eastgate, Drew and Peterson Introduced:

Senate Bill No. 114. A Bill for an Act Relating to Funding and Refunding Existing Indebtedness of Municipalities and Declaring an Emergency.

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

Senator Lynn Introduced:

Senate Bill No. 115. A Bill for an Act to Amend and Re-enact Section 5446 of the Compiled Laws of the State of North Dakota for 1913, Relating to Transferability and Survivability of Things in Action.

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

Senator Lynn Introduced:

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 8325 of the Compiled Laws of the State of North Dakota for 1913, Relating to Actions Arising Out of Personal Injury or Death Resulting From Wrongful Acts.

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

Senators Bonzer, Lynn and Stucke Introduced:

Senate Bill No. 117. A Bill for an Act Making an Appropriation of Funds Accumulated Thru the Administration

of the Provision of Chapter 244 of the Session Laws of 1923, for the Purpose of Assisting in Defraying the Expenses of the North Dakota American Legion Band in Attending the National Convention of the American Legion to be Held at St. Louis in the Year 1935; and the American Legion National Convention for 1936; and Repealing Acts in Conflict Herewith.

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

Senator Bonzer Introduced:

Senate Bill No. 118. A Bill for an Act to License Persons, Firms and Corporations Engaged in the Sale and Distribution of Drugs, Herbs and Pharmaceutical Preparations Through Peddlers, and for the Licensing of Peddlers and Representatives of Such Persons, Firms or Corporations, Providing a Penalty for the Violation of the Provisions Hereof and Declaring an Emergency.

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

Senator Bonzer Introduced:

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 26, 27, 31, 32, 33 and 35 of Chapter 164, Relating to Regulations of Motor Vehicle Transportation, of the Session Laws for 1933.

Was read the first time and referred to the Committee on Highways.

Senator Peterson Introduced:

Senate Bill No. 120. A Bill for an Act to Amend and Re-enact Section 2 of That Certain Initiated Law Entitled, "An Act Declaring Mortgages on Growing and Unharvested Crops to be Against the Public Policy of This State, and Abolishing the Same." Approved and Adopted by the Electors at the June 29th, 1932, Primary Election.

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

SECOND READING OF SENATE BILLS

Senator Ettestad moved that Senate Bill No. 72 be amended by striking out the word "shall" after the word instruction in line 6 of the printed bill.

Which motion prevailed.

Senator Ettestad moved that Senate Bill No. 72 be further amended by striking out the period at the end of the bill and inserting the following language: "provided, however, such inspector shall receive no additional compensation for posting such notices."

Which motion prevailed.

Senator Ettestad moved that Senate Bill No. 72 be further amended by inserting the words "and re-enacted" after the word "amended" in line two of the printed bill.

Which motion prevailed.

Senator Ettestad moved that the rules be suspended and that Senate Bill No. 72, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 72. A Bill for an Act to Amend and Re-enact Section 922, Compiled Laws of 1913, Relating to Posting of Notices of Primary Election.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Grand Fks.
Braaten	Handley	Owings
Brøstuen	Johnson	Peterson
Cain	Jones	Strehlow
Coffey	Kamrath	Stucke
Crandall	Kolpin	Thatcher
Drew	Kroeber	Thorson
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	McDonald	Watt
Fowler	McGillic	Whelan
Fredrickson	Miklethun	Wog
Greene, Cavalier	Mutchler	Young
Greene, Stutsman		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lowe	Matthaei	Nelson, Barnes

So the bill passed and the title was agreed to.

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 916, of the Compiled Laws of North Dakota for the Year 1913, Pertaining to Payment of Expenses of Delegates to National Conventions.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Grand Fks.
Braaten	Handley	Owings
Brostuen	Johnson	Peterson
Cain	Jones	Strehlow
Coffey	Kamrath	Stucke
Crandall	Kolpin	Thatcher
Drew	Kroeber	Thorson
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	McDonald	Watt
Fowler	McGillic	Whelan
Fredrickson	Miklethun	Wog
Greene, Cavalier	Mutchler	Young
Greene, Stutsman		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lowe	Matthaei	Nelson, Barnes

So the bill passed and the title was agreed to.

Senate Bill No. 80. A Bill for an Act to Amend and Re-enact Section 2178 of the Compiled Laws of 1913 Relating to Fees of Sheriff or His Deputy for Making Distress and Sale of Goods and Chattels for the Payment of Taxes, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Grand Fks.
Braaten	Handley	Owings
Brostuen	Johnson	Peterson
Cain	Jones	Strehlow
Coffey	Kamrath	Stucke
Crandall	Kolpin	Thatcher
Drew	Kroeber	Thorson
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	McDonald	Watt
Fowler	McGillic	Whelan

Messrs.	Messrs.	Messrs.
Fredrickson	Miklethun	Wog
Greene, Cavalier	Mutchler	Young
Greene, Stutsman		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lowe	Matthaei	Nelson, Barnes

So the bill passed and the title was agreed to.

Senate Bill No. 20. 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 second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Grand Fks.
Braaten	Handley	Owings
Brostuen	Johnson	Peterson
Cain	Jones	Strehlow
Coffey	Kamrath	Stucke
Crandall	Kolpin	Thatcher
Drew	Kroeber	Thorson
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	McDonald	Watt
Fowler	McGillic	Whelan
Fredrickson	Miklethun	Wog
Greene, Cavalier	Mutchler	Young
Greene, Stutsman		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lowe	Matthaei	Nelson, Barnes

So the bill passed and the title was agreed to.

Senate Bill No. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment of the School for the Deaf at Devils Lake, North Dakota.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Grand Fks.
Braaten	Handley	Owings
Brostuen	Johnson	Peterson
Cain	Jones	Strehlow
Coffey	Kamrath	Stucke
Crandall	Kolpin	Thatcher
Drew	Kroeber	Thorson
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	McDonald	Watt
Fowler	McGillic	Whelan
Fredrickson	Miklethun	Wog
Greene, Cavalier	Mutchler	Young
Greene, Stutsman		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lowe	Matthaei	Nelson, Barnes

So the bill passed and the title was agreed to.

Senator Erickson asked unanimous consent to return to the Ninth Order of Business.

Which request was granted.

FIRST READING OF SENATE BILLS

Senator Erickson introduced:

Senate Bill No. 121. A Bill for an Act Prohibiting Public Utilities from Engaging in Any Subsidiary Line or Business, Directly or Indirectly, Prohibiting Such Public Utilities from Selling or Furnishing Goods, Wares, Service or Product Other Than Furnished in the Primary Business, or a By-product Created in the Natural Course of Business.

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

FIRST 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 State Historical Society.

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

House Bill No. 46. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 98, Session Laws of 1933, Relating to Expenditures for Poor Relief Purposes Where the Regular

Appropriation is Insufficient and Where There is Not a Sufficient Unexpended Balance in any Funds to Meet an Emergency Created by Unusual and Unanticipated Demands for the Relief of the Poor, and Declaring an Emergency.

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

House Bill No. 80. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 199 of Session Laws of 1933, Transferring Certain Duties From the Regulatory Department of the State of North Dakota, to the Office of the State Dairy Commissioner, and Providing for the Payment of Expenses Incident to the Carrying Out of Such Duties, and Declaring an Emergency.

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

House Bill No. 92. A Bill for an Act to Amend and Re-enact Section 1176 of the Compiled Laws of 1913, Relating to Furniture, Maps, Register and School Library to be Furnished.

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

SECOND READING OF HOUSE BILLS

House Bill No. 68. A Bill Relating to the Bonds to be Furnished by County Judges, Clerk of District Court and/or Register of Deeds Filling Offices as Consolidated by Reason of Chapter 84 Laws of 1933.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Handley	Owings
Braaten	Johnson	Peterson
Brostuen	Jones	Strehlow
Cain	Kamrath	Stucke
Coffey	Kolpin	Thatcher
Crandall	Kroeber	Thorson
Drew	Lemke	Topp
Dubay	Lind	Trout
Eastgate	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Grand Fks.	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Lowe	Nelson, Barnes
Fine	Matthaei	

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Brostuen moved that House Bill No. 23 be amended as follows:

Strike out Section 3 of the printed bill.

Which motion prevailed.

Senator Brostuen moved that the rules be suspended and that House Bill No. 23, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Senator Cain moved as a substitute motion that House Bill No. 23 be indefinitely postponed.

Which motion was lost.

Senator Thatcher moved as a substitute motion that House Bill No. 23 be re-referred to the Committee on State Affairs.

Which motion was lost.

The question being on the original motion of Senator Brostuen.

Which motion prevailed.

The Chair announced the Secretary would call the roll.

Senator Cain arose to a point of order: "Do we have the right to debate this issue after the Secretary has started to call the roll?"

The President pro tem. sustained the objection of Senator Cain and instructed the Secretary to proceed with the roll call.

House Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws of North Dakota of the Year 1929, Relating to the Custodian of the State Capitol and Grounds and Describing his Powers, Duties and Compensation; and Appointing Such Custodian.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended; the roll was called and there were ayes, 13; nays, 31; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Fredrickson	Miklethun
Brostuen	Kamrath	Thatcher
Cain	Marshall	Thorson
Ettestad	McDonald	Wog
Fine		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Coffey	Jones	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Fowler	Lynn	Trovatten
Greene, Cavalier	McGillic	Vinje
Greene, Stutsman	Mutchler	Watt
Gronvold	Nelson, Grand Fks.	Whelan
Handley	Owings	Young
Johnson		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lowe	Nelson, Barnes
Erickson	Matthaei	

So the bill was declared lost.

Senator Cain moved that the vote by which House Bill No. 23 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion was seconded.

Senator Watt moved as a substitute motion, that the vote by which House Bill No. 23 was lost be reconsidered.

Which motion prevailed.

Senator Watt moved that House Bill No. 23 be re-referred to the Committee on State Affairs.

Which motion prevailed.

HOUSE CONCURRENT RESOLUTION A-2

Was read the second time.

ROLL CALL

The question being on the adoption of House Concurrent Resolution "A-2", 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.
Braaten	Handley	Owings
Brostuen	Johnson	Peterson
Cain	Jones	Strehlow
Coffey	Kamrath	Stucke
Crandall	Kolpin	Thatcher
Drew	Kroeber	Thorson
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Grand Fks.	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lowe	Nelson, Barnes
Fine	Matthaei	

So the Resolution was adopted.

Senator Kolpin asked unanimous consent to return to the Fourth Order of Business.

Which request was granted.

Senator Kolpin: "Mr. President and gentlemen of the Senate, I wish to bring to you a message of very deep appreciation on the part of my wife and myself for the kind remembrance that each and all of you have shown in sending flowers. I assure you they came at a time when they were greatly appreciated and it will long be remembered by us."

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

A. R. Olek and R. A. Nicholson, Forbes; A. H. Strand, Ross Hill, Matt Whelan, T. L. Brouillard, D. W. Crabtree, and C. A. Newton of Ellendale; C. Ensminger, Monango; Franklin J. Van Osdel, Fargo; Nels Gaeson, Minot; Hjalmer Hanson, Mayville; Mr. and Mrs. T. D. Acheson, Mrs. W. A. Thatcher and Mr. O. B. Benson of Bottineau; Mr. Oscar Stenson, Rock Lake; Mr. Ed Hedeon, Sheyenne; Mr. and Mrs. Ray Lochow, Geo. Brastrup, Courtenay; Paul Szarkowski, Fried; Mrs. Einar Muus, Mrs. J. A. Jones, Minot; Mr. Elmer Horsag, Mrs. M. R. Young, Berlin; Irvin Topp, Grace City; L. W. Faran, Fargo; Frank Stanley, Sherwood; Alex McKenzie, Kempton; Martin Ringsak, A. B. Thompson, Herald Markholt, Mr. Williams, Ben Greenberg, Grafton; A. Hamer, John Schurmcester, Joe Lauringer, Pius Volk, Linton; Roy H. Brandt, Jamestown; P. F. Hasse, H. Maw, Julius Hoffer, Tappen; Mrs. O. B. Benson, Bottineau; Mrs. Wm. Barneck, Bismarck; John Lloyd, Fessenden; Judge Lebakken, Bruce Arnold, J. M. Lind, Cap. Edwards, Tudor Owens, Grand Forks; Geo. Haugen, Southam; R. N. Haugen, Albert Paulson, Steve Guttorsen, Ryder; Melvin Haugen, Donald Haugen, Roseglen; Jacob Waltz, Dan Zwicker, Fred Fetzer, Coleharbor; C. P. Schumacher, A. J. Jangula, Zealand; A. B. Muir, Henry Heupel, Ventura.

Senator Thatcher moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

TWENTY-NINTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 5, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. Ira E. Herzberg.

Roll call: All Senators were present except Senators Bonzer and Matthaei.

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 Twenty-eighth day and recommend that the same be corrected as follows:

In line 7, page 2, strike out the word "house" and insert in lieu thereof the word "Senate."

Correct the roll call on page 5, as follows: Show "Lynn" voting in the affirmative and "Lind" voting in the negative.

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 5, 1935.

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee on House

Concurrent Resolution "A-9": Representatives Noben, Godwin and Twichell.

Also return:

SENATE CONCURRENT RESOLUTION "G"

Also,

SENATE CONCURRENT RESOLUTION "I"

Which the House has adopted.

Also transmit:

House Bill No. 62. 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, North Dakota.

Also,

House Bill No. 72. A Bill Providing for the Investment of Trust Funds of Executors, Administrators and Guardians and Procedure Required.

Also,

House Bill No. 96. A Bill for an Act to Make It Lawful to Make Devises, Bequests, Legacies and Gifts to Any State Educational, Charitable, or Penal Institution; Providing that Title Thereto Shall Be Held by the State in Trust, and Regulating the Use of Such Property and Its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made, and Declaring an Emergency.

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

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A petition presented by Senator Young, signed, Mrs. E. A. Scea and eight others, condemning any law legalizing hard liquor.

Referred to the Committee on Temperance.

Two resolutions presented by Gov. Welford, signed, Mrs. Nellie Erickson and 221 members of the Farmers Union Local No. 578, dealing with Tax Legislation.

Referred to the Committee on Taxes and Tax Laws.

A resolution signed by Medical Doctors from Grand Forks, condemning House Bill No. 87.

A petition presented by Senator Strehlow, signed, Ida M. Melin, asking an amendment to Chiroprody laws of 1929.

Referred to the Committee on Public Health.

A petition presented by Senator Lowe, signed, Peter Flanan, President of Farmers Union Local No. 578, covering various phases of legislation.

Referred to the Committee on Ways and Means.

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. 72. A Bill for an Act to Amend and Re-enact Section 922, Compiled Laws of 1913, Relating to Posting of Notices of Primary Election.

And find the same correctly Engrossed.

THOMAS WHELAN,
Chairman.

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

REPORT OF STANDING COMMITTEES

The Committee on Taxes and Tax Laws made the following report:

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

Senate Bill No. 81. A Bill for an Act to Amend and Re-enact Subdivisions (a) and (b) of Section 1 of Chapter 279 being an Amendment of Section 2166 of the Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Section 3 of the Chapter 241 of the Session Laws of the State of North Dakota for 1929 and as Again Amended and Re-enacted in Chapter 279 of the Session Laws for the year 1931, relating to the Maturity and Delinquency of Personal Property Taxes.

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

J. K. BROSTUEN,
Chairman.

Senator Brostuen 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. 82. A Bill for an Act to Amend and Re-enact Section 2203 of the 1925 Supplement to the Compiled Laws of 1913, Providing for the Assignment of Tax Sale Certificates Held by the County, Amount to Be Paid for an Assignment Thereof, and Prescribing the Form of Such Assignment.

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

In line 1 of the title after figures 2203 strike out "of the 1925."

In line 1 of Section 1, after figures 2203, strike out "of the 1925."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen 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. 51. A Bill for an Act to Provide for the Cancelling of Taxes Levied Against Homesteads for the Years Prior to 1934; Defining a Homestead, as Used in Said Act, and Providing for the Method of Causing and Procuring Such Cancellation.

Have had the same under consideration and, in view of the creation of the Tax Survey Commission and that the subject matter of this bill will undoubtedly be considered by such commission, we recommend that this bill be indefinitely postponed.

J. K. BROSTUEN,
Chairman.

Senator Brostuen 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 CONCURRENT RESOLUTION "E"

A Concurrent 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.

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

Change word "Senator" to "Senators" and after "Introduced by Senator O. E. Erickson" insert the words "and Thatcher."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen 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 CONCURRENT RESOLUTION "N"

A Concurrent 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.

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

J. K. BROSTUEN,
Chairman.

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

The Committee on Agriculture and Labor made the following report:

Mr. President: Your Committee on Agriculture and Labor to whom was referred:

Senate Bill No. 76. A Bill for an Act to Prevent the Importation and Sale of Infected Fruit; Providing for the Seizure of Infected Fruit, and Defining Penalties.

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

HERMAN THORSON,
Chairman.

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

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

HOUSE CONCURRENT RESOLUTION "A-1"

Also,

HOUSE CONCURRENT RESOLUTION "A-3"

Also,

SENATE CONCURRENT RESOLUTION "D"

Also,

Senate Bill No. 12. A Bill for an Act to Prohibit Marathon Dances, Walkathons, Skatathons, or any Endurance Contest and Providing Penalties for any Person, Firm, or Corporation Participating in, Attending or Promoting Such Contest, and Declaring an Emergency.

Also,

Senate Bill No. 26. A Bill for an Act to Provide for the Scaling Down and Discounting of Past Due Interest on Loans Made by the Board of University and School Lands.

Also,

Senate Bill No. 31. A Bill for an Act to Amend and Re-enact Section 9163 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Appeals From Justice Courts.

Also,

Senate Bill No. 33. A Bill for an Act Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply with This Law.

Also,

Senate Bill No. 40. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by the Wahpeton Military Training School as Mortgagor to the State of North Dakota as Mortgagee, Dated October 4, 1910, Filed for Record in the Office of the Register of Deeds of Richland County, North Dakota, on October 12, 1910, at 11:30 A. M. and Recorded in Book 69 of Mortgages, at Page 176, and Covering Lots Numbered Sixteen (16) and Seventeen (17) in Block Thirty-seven (37) of the Original Townsite of the City of Wahpeton, Richland County, North Dakota, Insofar as Said Mortgage Is a Lien Upon and Affects Said Lot Sixteen (16) But Not Otherwise, and Declaring an Emergency.

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

CONSIDERATION OF MESSAGES FROM THE HOUSE

The President pro tem. Appointed Senators Peterson, Drew and Watt as a Conference Committee on House Concurrent Resolution "A-9."

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 5, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 20. 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. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment of the School for the Deaf at Devils Lake, North Dakota.

Also,

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 916, of the Compiled Laws of North Dakota for the Year 1913, Pertaining to Payment of Expenses of Delegates to National Conventions.

Also,

Senate Bill No. 80. A Bill for an Act to Amend and Re-enact Section 2178 of the Compiled Laws of 1913 Relating to Fees of Sheriff or His Deputy for Making Distress and Sale of Goods and Chattels for the Payment of Taxes, and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 5, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 68. A Bill Relating to the Bonds to be Furnished by County Judges, Clerk of District Court and/or Register of Deeds Filing Offices as Consolidated by Reason of Chapter 84 Laws of 1933.

Also,

HOUSE CONCURRENT RESOLUTION No. "A-2"

Which the Senate has amended.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 5, 1935.

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

Senate Bill No. 72. A Bill for an Act to Amend and Re-enact Section 922, Compiled Laws of 1913, Relating to Posting of Notices of Primary Election.

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

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 5, 1935.

Mr. Speaker: I have the honor to inform you that the President pro tem. has appointed as a conference committee on House Concurrent Resolution "A-9": Senators Peterson, Drew and Watt.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 5, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 12. A Bill for an Act to Prohibit Marathon Dances, Walkathons, Skatathons, or any Endurance Contest and Providing Penalties for any Person, Firm, or Corporation Participating in, Attending or Promoting Such Contest, and Declaring an Emergency.

Also,

Senate Bill No. 40. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by the Wahpeton Military Training School as Mortgagor to the State of North Dakota as Mortgagee, Dated October 4, 1910, Filed for Record in the Office of the Register of Deeds of Richland County, North Dakota, on October 12, 1910, at 11:30 A. M. and Recorded in Book 69 of Mortgages, at Page 176, and Covering Lots Numbered Sixteen (16) and Seventeen (17) in Block Thirty-seven (37) of the Original Townsite of the City of Wahpeton,

Richland County, North Dakota, Insofar as Said Mortgage Is a Lien Upon and Affects Said Lot Sixteen (16) But Not Otherwise, and Declaring an Emergency.

Also,

Senate Bill No. 31. A Bill for an Act to Amend and Re enact Section 9163 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Appeals From Justice Courts.

Also,

Senate Bill No. 33. A Bill for an Act Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply with This Law.

Also,

Senate Bill No. 26. A Bill for an Act to Provide for the Scaling Down and Discounting of Past Due Interest on Loans Made by the Board of University and School Lands.

Also,

SENATE CONCURRENT RESOLUTION "D"

Which the President pro tem. has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

CONCURRENT RESOLUTION "Q"

Introduced by Senators Stucke and Mutchler

WHEREAS, There is no bridge across the Little Missouri River within the limits of the Fort Berthold Reservation so that the Indians living north and west of this river find it difficult at times to cross the Little Missouri to get to the Elbowoods bridge; and

WHEREAS, There is a need that such bridge be constructed for the convenience and welfare of those Indians living north and west of the Little Missouri:

NOW, THEREFORE, BE IT RESOLVED, by the Senate of the State of North Dakota, the House of Representatives concurring, that we respectfully request the construction of this bridge, and that it be considered a Federal project, and the same be constructed from Federal relief funds recently granted by Congress and that the work of the construction of said bridge, as far as possible, be contributed by the Indians on relief; this bridge to be built on the trail now passing south of Independence and crossing Section 27, Township 148, Range 91, Dunn County, approxi-

mately four miles northwest of the Fort Berthold bridge, also known as the Four Bears bridge, across the Missouri River, or at the most feasible location in that vicinity.

Referred to the Committee on Highways.

SENATE CONCURRENT RESOLUTION "R"

Introduced by Senator Miklethun

WHEREAS, the Bank of North Dakota is organized and established by the State of North Dakota and is part of the State of North Dakota functioning in its sovereign capacity, and

WHEREAS, the Bank of North Dakota is backed and guaranteed by all resources of the State in its sovereign capacity and is one of the soundest financial institutions in the United States, and

WHEREAS, the State of North Dakota in due course of its business issues bonds and securities for the proper financing of its business and its institutions, which said bonds and securities are all within the limitations prescribed by the laws of the State of North Dakota and are guaranteed and backed by the integrity and all the resources of the State, and

WHEREAS, the State of North Dakota makes use of the Bank of North Dakota to handle and purchase these bonds and securities, and

WHEREAS, the Bank of North Dakota has on hand and does handle a large amount of these State bonds and securities as part of its resources and reserve, and

WHEREAS, it would be of great advantage and benefit to the State of North Dakota in the proper financing of its business enterprises and its institutions, that the Bank of North Dakota should be authorized, empowered, and permitted to pledge with the United States Treasury such of the bonds and securities of the State of North Dakota handled by the Bank of North Dakota, and be further authorized and permitted to issue currency in place thereof; in this matter the Bank of North Dakota would not be required to borrow money for short time financing and pay interest thereon, and

WHEREAS, an Act of Congress is necessary to qualify the Bank of North Dakota to take advantage of this medium of financing, now therefore,

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN, that we petition the United States Congress now assembled, to enact the proper and necessary law qualifying the Bank of North Dakota to participate in the facilities of the United States Treasury for the issuing of currency in the name of the Bank of North Dakota, secured by a deposit of the bonds of the State of North Dakota and acceptable state securities, and

BE IT FURTHER RESOLVED, that we petition the United States Treasury and Comptroller of the Currency to make such rules and regulations as will give to the Bank of North Dakota, as a sovereign institution of the State of North Dakota the facilities for issuing of currency.

BE IT FURTHER RESOLVED, that the Secretary of State of the State of North Dakota be and is hereby instructed to forward an authenticated copy of this resolution to the President of the United States, the Honorable Franklin D. Roosevelt, to the President of the United States Senate, to the Speaker of the House of Representatives at Washington, D. C., to the Secretary and to the Comptroller of the United States Treasury, and to the two United States Senators and two Representatives from North Dakota in Congress.

Referred to the Committee on State Affairs.

FIRST READING OF SENATE BILLS

Senators McDonald and Cain introduced:

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 3084a2, 3084a3, 3084a7 and 3084a9 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913, Providing for the Appointment of the State Coal Mine Inspector by the Workmen's Compensation Bureau, Defining Eligibility to That Office, Providing for Assistance and Instruments to Be Furnished to the Inspector and for Payment Therefor and Providing for the Filling of Temporary Vacancies in the Office, and Declaring an Emergency.

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

Senators McDonald and Cain introduced:

Senate Bill No. 123. A Bill for an Act Providing for the Procuring of Coal Mine Licenses from the State Coal Mine Inspector, the Establishment of the State Coal Mining Safety Fund from Such Fees and for the Disbursement Thereof, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and Reporting Thereof to the State Coal Mine Inspector and Commissioner of Agriculture and Labor, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court from Such Order of Revocation, Providing a Penalty for Failure to Comply with the Law, Repealing Sections 3081, 3082, 3083 and 3084 of the Compiled Laws of the State of North Dakota for the Year 1913 and all Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

Committee on Irrigation and Drainage introduced:

Senate Bill No. 124. A Bill for an Act Declaring Water and/or Wildlife Conservation to Be a State Purpose, Providing the Governor and Board of University and School Lands with the Authority to Grant to the United States of America, or to Any of Its Instrumentalities or Agencies, Any and All Easement Rights as Shall Be Required for the Construction, Maintenance and Operation of Water and/or Wildlife Conservation Projects to Be Constructed on the Public Lands of the State of North Dakota, Declaring That Such Water and/or Wildlife Conservation Projects Shall Be Considered as a Benefit to Said Lands and Not to Diminish the Value or Purchase Price Thereof, Repealing Any and All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on Irrigation and Drainage.

Committee on Irrigation and Drainage introduced:

Senate Bill No. 125. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Several Counties to Remove from the Tax Rolls and Declare as Exempt from Taxation All Inundated Land Upon Which the Owner Thereof Has Granted or Shall Hereafter Grant to the United States of America, Its Instrumentalities or Agencies, a Permanent Easement for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Such Inundated Lands Shall Remain Exempt Until Such Time as the Water and/or Wildlife Conservation Projects Shall Have Been Abandoned, Providing That Such Power to Remove from the Tax Rolls or Declare as Exempt Shall Not Attach Until Such Time as the Construction of the Water and/or Wildlife Conservation Projects Shall Have Been Completed, and Declaring an Emergency.

Was read the first time and referred to the Committee on Irrigation and Drainage.

Committee on Irrigation and Drainage introduced:

Senate Bill No. 126. A Bill for an Act Declaring All Water and/or Wildlife Conservation Projects, Including Wildlife Reservations, to Be a Public Purpose, Providing That All Lands Within the Ordinary High-water Mark of Navigable Lakes Shall Be Under the Control of the State, Under Its Police Power, for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Authority and Control Over Such Lands Shall Be Vested in the State Engineer, Defining the Term "Ordinary High-water Mark," Providing That All Meandered Lakes Shall Be Declared to Be Navigable Within the Meaning of This Act, Providing a Saving Clause, Repealing All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on Irrigation and Drainage.

Committee on Irrigation and Drainage introduced:

Senate Bill No. 127. A Bill for an Act Providing That Any Person, Co-partnership or Corporation Who Has or May Acquire Any Right, Interest or Adverse Claim to Land Upon Which the United States of America or the State of North Dakota, Their Instrumentalities or Agencies, Shall Construct or Cause to Be Constructed Any Water and/or Wildlife Conservation Projects, Including All Reservoirs, Lakes and Wildlife Reservations, Must Give Written Notice of Any Such Right, Interest or Adverse Claim to the Agency or Instrumentality in Charge of Such Construction; Providing That the Commencement of Such Construction Shall Be Due Notice to All Such Parties Having Any Right, Interest or Adverse Claim, Providing That the Failure to Give Written Notice as Provided in This Act Within Thirty Days Thereafter Shall Preclude Any Further Claim, and Shall Establish the Legal Right of the United States or the State of North Dakota, Their Instrumentalities or Agencies, to Construct, Maintain and Operate Such Water and/or Wildlife Conservation Projects, Including Reservoirs, Lakes, and Wildlife Reservations, Repealing All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on Irrigation and Drainage.

Senators Fine, McGillic and Gronvold introduced:

Senate Bill No. 128. A Bill for an Act to Promote the Objects of the Act of Congress of the United States Entitled, "National Housing Act," approved June 27, 1934, and Acts Amendatory Thereof or Supplemental Thereto, by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, and Insurance Companies, to Make Loans Pursuant to Title I and II of the National Housing Act, and by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Sub-divisions, and Institutions and Agencies Thereof, and All Other Persons, Associations and Corporations, Subject to the Laws of This State, to Invest in Mortgages Insured, and in Debentures Issued, by the Federal Housing Administrator, and to Invest in Securities of National Mortgage Associations or Similar National Mortgage Credit Institutions Now or Hereafter Organized Under Title III of the National Housing Act, and by Excepting Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Sub-divisions, and Institutions and Agencies Thereof, and All Other Persons, and Associations, Subject to the Laws of This State from the Application of Laws of This State Requiring Security Upon Which Loans or Investments May Be Made, or Limiting Making of Loans to Shareholders or Members of the Lender, or Prescribing the Nature, Amount or Form of Such Security, or Limiting or Prescribing the Interest Rates Upon Loans or Investments, or the Period for Which Loans or Investments May Be Made, Pro-

vided Such Loans, Securities or Investments Are Insured by the Federal Housing Administrator, and Providing for Invalidity, and Declaring an Emergency to Exist.

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

Senator Miklethun introduced:

Senate Bill No. 129. A Bill for an Act Providing for the Exemption of the Homestead as Defined by Law from Forced Sale for Payment of Debts, with Certain Exceptions and Prohibiting the Mortgaging or Incumbering of the Homestead, with Certain Exceptions.

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

SECOND READING OF SENATE BILLS

Senator Fine moved that Senate Bill No. 44 be laid over one legislative day.

Which motion prevailed.

Senator Brostuen asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Brostuen moved that all absent Senators be excused.

Which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 62. 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, North Dakota.

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

House Bill No. 72. A Bill Providing for the Investment of Trust Funds of Executors, Administrators and Guardians and Procedure Required.

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

House Bill No. 96. A Bill for an Act to Make It Lawful to Make Devises, Bequests, Legacies and Gifts to Any State Educational, Charitable, or Penal Institution; Providing that Title Thereto Shall Be Held by the State in Trust, and Regulating the Use of Such Property and Its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made, and Declaring an Emergency.

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

Senator Dubay moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

THIRTIETH DAY

Senate Chamber,
Bismarck, North Dakota,
February 6, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. Ira E. Herzberg.

Roll call: All Senators were present except Senators Eastgate, Erickson, Greene of Stutsman, Matthaei and Thatcher.

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 Twenty-ninth day and found the same to be correct.

And recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 6, 1935.

Mr. Speaker: I have the honor to return herewith:

HOUSE CONCURRENT RESOLUTION "A-3"

Also,

HOUSE CONCURRENT RESOLUTION "A-1"

Which the President pro tem. has signed.

Also transmit additional copies of:

SENATE CONCURRENT RESOLUTION No. "A"

And,

SENATE CONCURRENT RESOLUTION "C"

And your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 6, 1935.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to House Bill No. 68.

Also,

HOUSE CONCURRENT RESOLUTION No. "A-2"

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Also return:

SENATE CONCURRENT RESOLUTION No. "D"

Also,

Senate Bill No. 12. A Bill for an Act to Prohibit Marathon Dances, Walkathons, Skatathons, or any Endurance Contest and Providing Penalties for any Person, Firm, or Corporation Participating in, Attending or Promoting Such Contest, and Declaring an Emergency.

Also,

Senate Bill No. 26. A Bill for an Act to Provide for the Scaling Down and Discounting of Past Due Interest on Loans Made by the Board of University and School Lands.

Also,

Senate Bill No. 31. A Bill for an Act to Amend and Re-enact Section 9163 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Appeals From Justice Courts.

Also,

Senate Bill No. 33. A Bill for an Act Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court and Other Officers to

Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply with This Law.

Also,

Senate Bill No. 40. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by the Wahpeton Military Training School as Mortgagor to the State of North Dakota as Mortgagee, Dated October 4, 1910, Filed for Record in the Office of the Register of Deeds of Richland County, North Dakota, on October 12, 1910, at 11:30 A. M. and Recorded in Book 69 of Mortgages at Page 176, and Covering Lots Numbered Sixteen (16) and Seventeen (17) in Block Thirty-seven (37) of the Original Townsite of the City of Wahpeton, Richland County, North Dakota, Insofar as Said Mortgage Is a Lien Upon and Affects Said Lot Sixteen (16) But Not Otherwise, and Declaring an Emergency.

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 6, 1935.

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

House Bill No. 70. A Bill for an Act Making an Appropriation to Pay the Deficit in the Printing Fund of the Department of Insurance of the State of North Dakota.

Also,

House Bill No. 116. A Bill for an Act to Amend and Re-enact Section 9807 of the 1913 Revised Statutes of the State of North Dakota; Defining Riot.

Also,

House Bill No. 37. A Bill for an Act Making an Appropriation to the Board of Auditors for the Purpose of Carrying out the Provisions of Section 369 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 226, Laws of 1915, and as Amended and Re-enacted by the Initiated Law Approved November 2, 1920, and as Provided for in Chapter 143, Laws of 1923, the Same Being Sections 369 and 369b of the Supplement to the 1913 Compiled Laws of North Dakota, and as Amended and Re-enacted by Chapter 186, Laws of 1933.

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

Also,

HOUSE CONCURRENT RESOLUTION "A-10"

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

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A petition presented by Senator Greene of Cavalier, signed, W. O. Simonds and 42 other citizens of Cavalier County, asking aid in the passage of the Old People's Pension Bill.

A telegram was received from P. A. Lee, Secretary, Farmers Grain Dealers' Association of North Dakota, condemning Senate Bill No. 73.

Referred to the Committee on State Affairs.

A petition presented by Senator Fowler, signed, Ida M. Melin, Chiroprapist, urging support of a measure to amend Chiroprody Laws of 1929.

Referred to the Committee on Ways and Means.

A resolution presented by Senator Lowe, signed, Earl Hight and three other members of the resolutions committee of Farmers Union Local No. 550, upholding and asking for the livestock weighing and grading bill and other legislation.

Referred to the Committee on Livestock.

A petition presented by Senator Owings, signed, Sigurd Swenson and forty-seven other residents of Burke County, condemning a tax on lignite.

Referred to the Committee on Taxes and Tax Laws.

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. 82. A Bill for an Act to Amend and Re-enact Section 2203, Supplement to the Compiled Laws of 1913, Providing for the Assignment of Tax Sale Certificates Held by the County, Amount to Be Paid for an Assignment Thereof, and Prescribing the Form of Such Assignment.

Also,

SENATE CONCURRENT RESOLUTION "E"

A Concurrent 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.

And find the same correctly Engrossed.

Also,

SENATE CONCURRENT RESOLUTION No. "G"

A Resolution Approving and Endorsing the Bill in Congress Introduced by Senator Gerald P. Nye, Which Provides for Adequate Customs and Immigration Buildings Upon the Peace Garden Project.

Also,

SENATE CONCURRENT RESOLUTION No. "I"

A Resolution Memorializing and Urging Congress of the United States to Give Consideration to "The Townsend Old Age Revolving Pension Plan."

And find the same correctly Enrolled.

THOMAS WHELAN,
Chairman.

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

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

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

Senate Bill No. 103. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Maintenance of the Office of State Treasurer for the Remainder of the Fiscal Year Ending June 30, 1935, and Declaring an Emergency.

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

L. O. FREDRICKSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 102. A Bill for an Act to Amend and Re-enact Section 1866A4 and Repeal Section 1866A6, Supplement to the Compiled Laws of 1913, Relating to the Northwest Agricultural Livestock and Fair Association, and Declaring an Emergency.

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

L. O. FREDRICKSON,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 46. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 98, Session Laws of 1933, Relating to Expenditures of Poor Relief Purposes Where the Regular Appropriation is Insufficient and Where There Is Not a Sufficient Unexpended Balance in Any Funds to Meet an Emergency Created by Unusual and Unanticipated Demands for the Relief of the Poor, and Declaring an Emergency.

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

HOUSE CONCURRENT RESOLUTION "A-7"

Concerning Federal Feed Supply

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 78. A Bill for an Act to Amend and Re-enact Section 7375 of the 1913 Compiled Laws, Enumerating the Kinds of Actions Which Must Be Commenced Within Six Years After the Cause of Action Accrues.

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

In line 1 of the title of the enrolled bill, after the figures "7375" strike out the words "of the 1913 Compiled Laws" and insert in lieu thereof the following: "Compiled Laws of North Dakota for the year 1913."

In Section 1, line 1, after the figures "7375" strike out the words "of the 1913 Compiled Laws" and insert in lieu thereof the following: "Compiled Laws of North Dakota for the year 1913."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was re-referred:

House Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws of North Dakota of the Year 1929, Relating to the Custodian of the State Capitol and Grounds and Describing his Powers, Duties and Compensation; and Appointing Such Custodian.

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

In line 3 of the engrossed bill, after the word "custodian" add the words "and guide."

In line 7, of Section 3, of the engrossed bill, strike out after the word "salary" the words and figures "of Eighteen Hundred (\$1,800.00) Dollars" and insert in lieu thereof the following: "not to exceed Fifteen Hundred Dollars (\$1,500.00)."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 45. A Bill for an Act Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents, and Employees, Exempting the Governor, of the State of North Dakota, or of any of its Sub-divisions, While Upon Public Expense Account; Providing a Penalty for Violation Thereof, and Declaring an Emergency.

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

In line 6, Section 1, of the enrolled bill, after the word "sum" insert the following: "in excess of the amount actually expended but in no case to be."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

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

The Conference Committee on House Concurrent Resolution A-9 made the following report:

Mr. President: Your Committee on Conference to whom was referred House Concurrent Resolution A-9 wish to report that we have met with the Conference Committee from the House, have had the same under consideration, and the House concurs in the amendments of the Senate. And we further amend the resolution by eliminating the name of "I. Sanford" as Assistant Proof Reader, and inserting in lieu thereof the name "H. B. Carlson."

HARRY PETERSON,
Chairman.

G. F. DREW,
WM. WATT.

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

Senator Watt moved that the rules be suspended and that House Concurrent Resolution "A-9," as amended, be considered properly re-engrossed and placed upon second reading and final passage immediately upon its return from the House.

Which motion prevailed.

Senator Kamrath moved that all absent Senators be excused.

Which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

SENATE CONCURRENT RESOLUTION "G"

Also,

SENATE CONCURRENT RESOLUTION "I"

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

FIRST READING OF SENATE BILLS

Senator Watt introduced:

Senate Bill No. 130. A Bill for an Act to Amend and Re-enact Section 18 of Chapter 227, Laws of 1931, Providing for the Regulation of Storage and Delivery Charges of Public Warehousemen and Providing for the Form of Receipt to Be Issued by Such Warehousemen.

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

Senators Dubay and Gronvold introduced:

Senate Bill No. 131. A Bill for an Act Authorizing and Empowering the Governor to Accept a Conveyance in Trust of the Lands Comprising the International Peace Garden to the State of North Dakota; Setting Forth the Terms and Conditions of the Trust; Vesting the Custody, Control, Possession, Supervision, Management and Operation of Such Lands in the Board of Directors of the International Peace Garden, Inc.; Vesting in the State Historical Society General Supervision of Such Lands, and Expressly Empowering the State Historical Society to Co-operate in the Establishment, Promotion and Development of the International Peace Garden for the Purpose of Furthering International Peace Among the Nations of the World; Providing for the Duration of Such Trust, and for the Reconveyance of Said Land to the International Peace Garden, Inc.; and Repealing All Acts, or Parts of Acts, in Conflict Herewith, and Declaring That an Emergency Exists for the Immediate Enactment of This Act.

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

Senators Peterson and Whelan introduced:

Senate Bill No. 132. A Bill for an Act Defining Banking Institutions Within the Meaning of This Act; Authorizing Such Banking Institutions to Enter Into Such Contracts, Incur Such Obligations and Generally to do Such Acts as May Be Appropriate or Necessary to Take Advantage of Any and all Memberships, Loans, Subscriptions, Contracts, Grants, Rights or Privileges, Including the Right to Receive and Hold United States Postal Savings Deposits, Which May, at any Time, Be Available or Enure to Said Banking Institutions or Their Depositors, Stockholders, Conservators, Liquidators or Receivers, Under or by Virtue of Any Act, Regulation or Resolution of the Congress of the United States or Any Department, Board, Agency or Officer Thereof; to Aid, Regulate, Foster, Promote or Safeguard Banking Institutions and Depositors, Including the Act Creating the Federal Deposit Insurance Corporation and Prescribing, Defining and Regulating the Manner, Terms, Conditions,

Limitations and Restrictions Under and Upon Which Said Banking Institutions, Their Stockholders, Depositors, Conservators, Liquidators or Receivers May Take Advantage of, Comply With and Act Upon the Rights and Privileges Hereby Granted to Them, and Declaring an Emergency.

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

Senators Peterson and Whelan introduced:

Senate Bill No. 133. A Bill for an Act Authorizing Banking Institutions to Issue and Sell Capital Notes or Debentures and Preferred Stock; Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which the Same May Be Issued and Sold, and Declaring an Emergency.

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

Senators Peterson and Whelan introduced:

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931, Relating to Capital Stock of Banks.

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

Senators Eastgate and Nelson of Grand Forks introduced:

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1291, Compiled Laws of 1913, Concerning Elections in Independent School Districts, Placing Control Thereof in the Hands of the Board of Education, and Providing for Special Elections in Such Districts.

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

Senator Brostuen introduced:

Senate Bill No. 136. A Bill for an Act Amending Articles 2889b4, 2889b5 and 2889b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Being Part of Article 40b of Chapter 38 of the Political Code, Relating to Food and Drugs, and Known as the North Dakota Food and Drugs Act.

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

Senator Whelan introduced:

Senate Bill No. 137. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 89 of the Session Laws of the State of North Dakota for the Year 1933, Relating to Prohibition Against Corporation Farming, and Declaring an Emergency.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 82. A Bill for an Act to Amend and Re-enact Section 2203 of the 1925 Supplement to the Compiled Laws of 1913, Providing for the Assignment of Tax Sale Certificates Held by the County, Amount to Be Paid for an Assignment Thereof, and Prescribing the Form of Such Assignment.

Was read the second time.

ROLL CALL

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.
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Erickson	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fowler	McDonald	Vinje
Fredrickson	McGillic	Watt
Greene, Cavalier	Miklethun	Whelan
Gronvold	Mutchler	Wog
Handley	Nelson, Barnes	Young

Absent and not voting:

Messrs.	Messrs.
Bonzer	Greene, Stutsman
Eastgate	Matthaei

So the bill passed and the title was agreed to.

SENATE CONCURRENT RESOLUTION "E"

Was read the second time.

ROLL CALL

The question being on the adoption of the resolution 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.
Bonzer	Johnson	Nelson, Grand Fks.
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Cain	Kolpin	Strehlow
Coffey	Kroeber	Stucke

Messrs.	Messrs.	Messrs.
Crandall	Lemke	Thatcher
Drew	Lind	Thorson
Dubay	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	McDonald	Vinje
Fowler	McGillic	Watt
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Mutchler	Wog
Gronvold	Nelson, Barnes	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	Greene, Stutsman	Matthaei

So the resolution was adopted.

Senate Bill No. 76. A Bill for an Act to Prevent the Importation and Sale of Infected Fruit; Providing for the Seizure of Infected Fruit, and Defining Penalties.

Was read the second time.

ROLL CALL

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.
Bonzer	Johnson	Nelson, Grand Fks.
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Cain	Kolpin	Strehlow
Coffey	Kroeber	Stucke
Crandall	Lemke	Thatcher
Drew	Lind	Thorson
Dubay	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	McDonald	Vinje
Fowler	McGillic	Watt
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Mutchler	Wog
Gronvold	Nelson, Barnes	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	Greene, Stutsman	Matthaei

So the bill passed and the title was agreed to.

Senator Miklethun moved that Senate Bill No. 44 be laid over one legislative day.

Which motion prevailed.

SECOND READING OF HOUSE BILLS
HOUSE CONCURRENT RESOLUTION A-9

Was read the second time.

ROLL CALL

The question being on the adoption of the resolution 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.
Bonzer	Johnson	Nelson, Grand Fks.
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Cain	Kolpin	Strehlow
Coffey	Kroeber	Stucke
Crandall	Lemke	Thatcher
Drew	Lind	Thorson
Dubay	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	McDonald	Vinje
Fowler	McGillic	Watt
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Mutchler	Wog
Gronvold	Nelson, Barnes	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	Greene, Stutsman	Matthaei

So the resolution was adopted.

FIRST READING OF HOUSE BILLS
HOUSE CONCURRENT RESOLUTION "A-10"

Was read the first time and referred to the Committee on Highways.

House Bill No. 37. A Bill for an Act Making an Appropriation to the Board of Auditors for the Purpose of Carry- ing out the Provisions of Section 369 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 226, Laws of 1915, and as Amend- ed and Re-enacted by the Initiated Law Approved November 2, 1920, and as Provided for in Chapter 143, Laws of 1923, the Same Being Sections 369 and 369b of the Supplement to the 1913 Compiled Laws of North Dakota, and as Amended and Re-enacted by Chapter 186, Laws of 1933.

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

House Bill No. 70. A Bill for an Act Making an Appropriation to Pay the Deficit in the Printing Fund of the Department of Insurance of the State of North Dakota.

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

House Bill No. 116. A Bill for an Act to Amend and Re-enact Section 9807 of the 1913 Revised Statutes of the State of North Dakota; Defining Riot.

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

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 6, 1935.

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

House Bill No. 68. A Bill for an Act Relating to the Bonds to Be Furnished by County Judges, Clerk of District Court and/or Register of Deeds Filing Offices as Consolidated by Reason of Chapter 84, Laws of 1933.

Also,

HOUSE CONCURRENT RESOLUTION "A-2"

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 68. A Bill for an Act Relating to the Bonds to Be Furnished by County Judges, Clerk of District Court and/or Register of Deeds Filing Offices as Consolidated by Reason of Chapter 84, Laws of 1933.

Also,

HOUSE CONCURRENT RESOLUTION "A-2"

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

The following resolutions were filed with the Secretary of State:

Joint Memorial Resolution "A"

Joint Resolution "C"

Senate Concurrent Resolution "A"

Senate Concurrent Resolution "C"

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 6, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 68. A Bill Relating to the Bonds to be Furnished by County Judges, Clerk of District Court and/or Register of Deeds Filing Offices as Consolidated by Reason of Chapter 84 Laws of 1933.

Also:

HOUSE CONCURRENT RESOLUTION "A-2"

Which the President pro tem. has signed.

Very respectfully,

F. E. TUNELL,
Secretary.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

John A. Stormon, Rolla; Mr. and Mrs. Al Mattason, Oakes; H. E. Jury, Fullerton; Fred Bowmeran, Clement; Wm. and Emil Hokona, and Wm. Holmes, Guelph; Mr. and Mrs. John H. Miller, Mr. and Mrs. Peter Schott and Mr. and Mrs. Dan Patzer, Jr., Kulm; James A. Little, Minnewaukan; John Schaubert, Bowdon; Elmer Odegaard, Westfield; Fr. Jos. Andrieux, Bottineau; John Reich, Jacob Reich, Fred Reich, Jacob Krien, of Antelope; O. M. Hugelen, Napoleon; Carol Starkey, Burnstad; L. F. Rice, Velva; W. H. Harris, Turtle Lake; Chas. C. Munro, Rolla; Gertrude Dwire and Mrs. R. J. Coughlin of Minot; F. B. Sullivan and A. E. Shockman, Berlin; Carl Lindbloom and A. G. Porter, Edgeley; David Meberg, Olaf Larson, O. P. Olson, Alf. Malde, of Park River; L. J. Wehe, Bismarck; Brynhild Haugland, John H. Werner, and Mrs. Christ Linnertz of Minot; A. G. Bergeson, Douglas; Mrs. Max Strehlow, Mr. and Mrs. John Ottis, Kindred; J. E. Smith, J. E. Murphy, Mrs. J. E. Murphy, Emma Nelson and Miss Stella Kjelland of Litchville; George Bertram, Ed Bertram and Ralph Klovstad of Valley City; Mrs. Wm. Tuff, Barton; L. R. Nosal, Rugby; Allen McManus, D. C. McDonald, Dr. G. E. Harriman of Grand Forks; Albert Dettmer, Helmeth Heueur, Arthur Wichman and Ed Wichman of Leonard.

Senator Fine moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

Very respectfully,

F. E. TUNELL,
Secretary.

THIRTY-FIRST DAY

Senate Chamber,
Bismarck, North Dakota,
February 7, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. Ira E. Herzberg.

Roll call: All Senators were present except Senators Cain, Coffey, Eastgate, Fowler, Matthaei, McGillic, Owings, Thatcher and Wog.

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

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

And recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 7, 1935.

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

Senate Bill No. 35. A Bill for an Act to Amend and Re-enact Section 2868a1 Supplement to the Compiled Laws of 1913, Relating to the Levy of Tax by the County Commissioners Upon Being Petitioned for the Purpose of Creating a Fund for the Extermination of Grasshoppers and for the Disposition of any Unexpended Balance Remaining in Such Fund.

Also,

Senate Bill No. 66. A Bill for an Act to Provide for the Creation of a North Dakota Tax Survey Commission, Defining its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Which the House has amended.

Also transmit:

House Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Also,

House Bill No. 69. A Bill for an Act Making an Appropriation to Make Up the Deficit in the Fund Known as "The Insurance Tax to Fire Departments" 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 of 1913.

Also,

House Bill No. 115. A Bill for an Act to Repeal All of Article 7a of the Political Code as Found in the 1925 Supplement to the 1913 Compiled Codes with All Amendments Thereof, Relating to State Transportation Officer. Repeal.

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

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarek, North Dakota,
February 7, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Concurrent Resolution "A-9."

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 12. A Bill for an Act to Prohibit Marathon Dances, Walkathons, Skatathons, or any Endurance

Contest and Providing Penalties for any Person, Firm, or Corporation Participating in, Attending or Promoting Such Contest, and Declaring an Emergency.

Also,

Senate Bill No. 26. A Bill for an Act to Provide for the Scaling Down and Discounting of Past Due Interest on Loans Made by the Board of University and School Lands.

Also,

Senate Bill No. 31. A Bill for an Act to Amend and Re-enact Section 9163 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Appeals From Justice Courts.

Also,

Senate Bill No. 33. A Bill for an Act Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply with This Law.

Also,

Senate Bill No. 40. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by the Wahpeton Military Training School as Mortgagor to the State of North Dakota as Mortgagee, Dated October 4, 1910, Filed for Record in the Office of the Register of Deeds of Richland County, North Dakota, on October 12, 1910, at 11:30 A. M. and Recorded in Book 69 of Mortgages, at Page 176, and Covering Lots Numbered Sixteen (16) and Seventeen (17) in Block Thirty-seven (37) of the Original Townsite of the City of Wahpeton, Richland County, North Dakota, Insofar as Said Mortgage Is a Lien Upon and Affects Said Lot Sixteen (16) But Not Otherwise, and Declaring an Emergency.

Were delivered to the Governor for his approval at the hour of 4:15 o'clock P. M., February 6, 1935.

T. E. WHELAN,
Chairman.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A petition presented by Senator Brostuen, signed, G. S. Thorlackson, Secretary of Farmers Union Local No. 538, asking one cent additional gas tax to be placed in the school fund.

Referred to the Committee on Taxes and Tax Laws.

A petition from the same source, asking for a correspondence course in high school subjects embodying the national study topic of the Farmers Union.

Referred to the Committee on Education.

A resolution presented by Senator Brostuen, signed, Victoria M. Lassey and two other members of the Farmers Union Local of Cartwright, asking that some provision be made for correspondence courses for grade and high school children not able to attend school.

Referred to the Committee on Education.

A resolution presented by Senator Brostuen, signed, E. M. Hendricks of the Dakota Coal Code Association, asking that no tax be placed on lignite.

Referred to the Committee on Taxes and Tax Laws.

A petition presented at the desk, signed, M. O. Bratton and two other members of Farmers Union Local No. 79, asking for a correspondence course in schools.

Referred to the Committee on Education.

A petition presented by Senator Drew, signed, M. S. Rankin of the Barbers of Devils Lake, asking support of Senate Bill No. 78.

Referred to the Committee on State Affairs.

A petition presented by Senator Fredrickson, signed, W. S. Fowler, and five other taxpayers of Nelson County, suggesting certain legislation regarding taxes.

A petition presented by the President of the Senate, signed by two hundred seventy-eight persons interested, asking that no legislation be passed taxing lignite.

A resolution presented by Senator Lowe, sent from the Board of Directors of the Minot Association of Commerce, condemning the proposed tax on lignite.

Referred to the Committee on Taxes and Tax Laws.

A resolution presented by Senator Jones, signed by thirty-one members of the Barbers Union Local No. 38, asking Senate Support of Senate Bill No. 78.

A petition presented by Senator Jones, signed, H. J. Reinarts, President of Barbers Union No. 38, and one hundred twelve citizens of Minot, urging passage of Senate Bill No. 78.

Referred to the Committee on State Affairs.

A petition presented by Senator McDonald, signed A. Fisher, Chairman of the Board of Trustees of the Village of Regan, asking for certain road concessions.

Referred to the Committee on Highways.

A group of three petitions presented by Senator Nelson of Grand Forks, asking that no legislation be passed allowing hard liquor to be sold in the state.

Referred to the Committee on Temperance.

A petition was presented by Senator Lind, signed by Jennie Solberg and 24 other members of the Round Prairie P.T.A. soliciting legislation for the abolishment of road houses.

Referred to the Committee on State Affairs.

A petition presented by Senator Lind, signed, Leonard Anderson, Farmers Union Local No. 385, regarding education.

Referred to the Committee on Education.

REPORT OF STANDING COMMITTEES

The Committee on Agriculture and Labor made the following report:

Mr. President: Your Committee on Agriculture and Labor to whom was referred:

Senate Bill No. 52. A Bill for an Act Creating a Federated, Legislative, Co-operative Agricultural Association by Co-operation with Other Surplus Producing States of the Union, Describing the Manner of Forming the Same, the Purposes Thereof; Making an Appropriation Therefor, and Declaring an Emergency.

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

Strike out the title of the printed bill and insert in lieu thereof the following:

“For an act creating a Board known as the ‘North Dakota Commissioners of the Federated Cooperative Agricultural Association’ and providing for cooperation with other surplus producing states of the Union, describing the manner of forming the same, the purposes thereof, making an appropriation therefor, and declaring an emergency.”

Strike out Section 2 of the printed bill and insert in lieu thereof the following:

“Section 2. Association, How Formed.) There is hereby created in the Department of Agriculture and Labor, a board to be known as the ‘North Dakota Commissioners of the Federated Cooperative Agricultural Association’ which shall consist of three members to be appointed by the Commissioner of Agriculture and Labor. Such appointments may be made from a list of persons submitted by the Committee on Agriculture in the Senate and the Committee on Agriculture in the House of Representatives, acting jointly. Said Board shall have full power and authority to present the federated plan to other agricultural states with a view to forming a group of Federated States, under the plan

herein described, for the mutual benefit and protection of the producers of agricultural commodities having a community of interest."

In Section 4 of the printed bill, line 7, following the words "into a" insert the word "National."

In line 12 of Section 7, strike out the words "said lobby at Washington" and insert in lieu thereof the words "at such place as shall be agreed upon."

In line 13 of same Section, page 4, of printed bill, strike out the word "herein" and insert in lieu thereof the word "therein," and in the same line strike out the words "in other states."

In Section 9 of printed bill, line 4, strike out the word "Legislative."

On page 5 of printed bill, Section 11, in line 6, following the word "Act" insert the words "and carry out its provisions."

In line 8 of Section 11, following the word "appropriated" strike out the period and insert in lieu thereof a comma and add the following "to be paid upon the order of the Board."

And when so amended, recommend that Senate Bill No. 52 be re-referred to the Committee on Appropriations.

HERMAN THORSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 109. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-third Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

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

L. O. FREDRICKSON,
Chairman.

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

The Committee on Highways and Bridges made the following report:

Mr. President: Your Committee on Highways and Bridges to whom was referred:

Senate Bill No. 48. A Bill for an Act to Restore the Motor Vehicle Registration Fund to the Highway Department.

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

HARRY PETERSON,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

SENATE RESOLUTION C

Relating to Charges Made by Telephone Companies in Cities for Phone Service.

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 559 of the 1913 Revised Statute, Relating to Appointments of the Board of Examiners.

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

A. F. BONZER, Jr.,
Chairman.

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

A majority of the Committee on State Affairs made the following report:

Mr. President: A majority of your Committee on State Affairs to whom was referred:

HOUSE CONCURRENT RESOLUTION No. A-6

Memorializing Congress to Enact the Necessary Legislation to Insure Selection of Unbiased Federal Jurors.

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

A. W. FOWLER,
 JOHN L. MIKLETHUN,
 WM. WATT,
 T. E. WHELAN,
 A. A. TROVATTEN,
 J. P. CAIN,
 A. F. BONZER, Jr., Chairman.

A minority of the Committee on State Affairs made the following report:

Mr. President: A minority of your Committee on State Affairs to whom was referred:

HOUSE CONCURRENT RESOLUTION No. A-6

Memorializing Congress to Enact the Necessary Legislation to Insure Selection of Unbiased Federal Jurors.

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

HARRY PETERSON,
 OLE ETTESTAD,
 ALEX LIND,
 W. S. HANDLEY.

Senator Bonzer moved that the Majority report be adopted.

Senator Peterson moved as a substitute motion that the word "Minority" be substituted for the word "Majority."

Senator Fowler demanded a roll call.

ROLL CALL

The question being on the adoption of the Minority report on House Concurrent Resolution "A-6", the roll was called and there were ayes, 26; nays, 21; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Owings
Brostuen	Kamrath	Peterson
Dubay	Kolpin	Stucke
Erickson	Kroeber	Thatcher
Ettestad	Lemke	Thorson
Fine	Lind	Trout
Greene, Cavalier	Marshall	Vinje
Greene, Stutsman	McDonald	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Jones	Strehlow
Coffey	Lowe	Topp

Messrs.	Messrs.	Messrs.
Crandall	Lynn	Trovatten
Drew	McGillie	Watt
Fowler	Miklethun	Whelan
Fredrickson	Mutchler	Wog
Gronvold	Nelson, Grand Fks.	Young

Absent and not voting:

Messrs.
Eastgate
Matthaei

So the motion prevailed and the minority report was adopted.

The Committee on Appropriations made the following report:

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

Senate Bill No. 112. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Stenographers, and Clerkhire, Express and Freight, Postage, Telegrams and Telephones, Office Supplies, Printing, Traveling Expenses, and Miscellaneous Expenses of the State Geological Survey, and Declaring an Emergency.

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 "\$4,500.00" and insert in lieu thereof the figures "\$3,450.00."
In line 10 of the printed bill strike out the figures "\$2,250.00" and insert in lieu thereof the figures "\$1,500.00."
In line 16 of the printed bill strike out the figures "\$1,200.00" and insert in lieu thereof the figures "\$900.00."
In line 19 of the printed bill strike out the figures "\$4,500.00" and insert in lieu thereof the figures "\$3,450.00."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

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

Senator Kamrath moved that all absent Senators be excused.

Which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 7, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 82. A Bill for an Act to Amend and Re-enact Section 2203, Supplement to the Compiled Laws of 1913, Providing for the Assignment of Tax Sale Certificates Held by the County, Amount to Be Paid for an Assignment Thereof, and Prescribing the Form of Such Assignment.

Also,

Senate Bill No. 76. A Bill for an Act to Prevent the Importation and Sale of Infected Fruit; Providing for the Seizure of Infected Fruit, and Defining Penalties.

Which the Senate has passed.

Also,

SENATE CONCURRENT RESOLUTION "E"

Which the Senate has adopted.

And your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 7, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Concurrent Resolution "A-9."

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Thorson moved that the Senate do concur in the House amendment to Senate Bill No. 35.

Which motion was seconded.

Senator Watt moved as a substitute motion that further consideration of Senate Bill No. 35 be indefinitely postponed.

Which motion was lost.

Senator Fowler moved as a substitute motion that the Senate do not concur in the House amendment to Senate Bill No. 35 and that a Conference Committee be appointed.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 7, 1935.

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

HOUSE CONCURRENT RESOLUTION A-9

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Brostuen moved that the Senate do not concur in the House Amendment to Senate Bill No. 66 and that a Conference Committee be appointed.

Which motion was seconded.

Senator Watt moved as a substitute motion that the Senate do concur in the House Amendment to Senate Bill No. 66.

Which motion was lost.

The question being on the motion of Senator Thorson.

Which motion prevailed.

The President pro tem. appointed as a Conference Committee on Senate Bill No. 66, Senators Brostuen, Trovatten and Peterson.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 7, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House Amendment to Senate Bill No. 66 and the President has appointed as a Conference Committee, Senators Brostuen, Trovatten and Peterson.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 7, 1935.

Mr. President: I have the honor to inform you that Senate Bill No. 35 was returned to you amended in error. Senate Bill No. 35 was lost in the House upon second reading on Feb. 5th.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Fowler moved that the vote by which his motion that the Senate do not concur in the House Amendment to Senate Bill No. 35 and a Conference Committee be appointed, be reconsidered.

Which motion prevailed.

Senator Fowler withdrew his motion that the Senate do not concur in the House Amendments to Senate Bill No. 35 and a Conference Committee be appointed.

REPORT OF STANDING COMMITTEES

The Committee on Insurance made the following report:

Mr. President: Your Committee on Insurance to whom was referred:

Senate Bill No. 96. A Bill for an Act to Amend and Re-enact Sections 189b1 and 189b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and to Amend and Re-enact Sections 189b3, 189b5, 189b7, 189b8, 189b9, 189b10, 189b11, 189b12, 189b13, 189b15, 189b21, 189b25, and 189b29 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota as Amended and Re-enacted by Chapter 170 of the 1931 Session Laws of North Dakota, and as Amended and Re-enacted by Sections 1, 2, 3, 4, 5, 7, 10, 11, 12, 15, 17, and 18 of Chapter 137 of the 1933 Session Laws of North Dakota, and Section 10 of Chapter 170 of the 1931 Session Laws of the State of North Dakota, Repealing All Acts or Parts of Acts in Conflict Herewith; Relating to State Hail Insurance, Providing for Insuring Crops Against Loss by Hail, Defining Duties of the Assessors; Providing for Collections of Taxes, Fixing Amounts and Providing for Adjustment of Claims of Indemnity; and Abatement of Hail Indemnity Tax and Correction of Records and Declaring an Emergency.

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

On line 9, Section 189b5 of the printed bill, after the word "oats" insert the word "and" and after the word "flax," strike out the following: "corn, buckwheat, millet, sweet clover, alfalfa and cane," and insert a period.

Line 21, Section 189b9 of the printed bill, after the word "of" strike out the following: "\$15.00 for each full township of thirty-six sections, or otherwise at the rate of seven" and insert in lieu thereof the word "ten."

In line 34, Section 189b11 of the printed bill add the following: "Provided that in such cases as where the land is tenanted, the owner shall have a first lien on all the crops grown on the land belonging to any such tenant, or share cropper, as security for the payment of the tenant's share of the said hail indemnity taxes."

In line 14, Section 189b12 after the word "Cancellation" insert the following: "or the written concurrence of either the owner or tenant may be executed on a separate form and attached to and made a part thereof."

In line 28 after the word "be," strike out the following: "approved or rejected by the Manager, and in case of approval" and insert in lieu thereof the words "granted and."

In line 31, Section 16 after the word "foreclosure" change the semi-colon to a period, and strike out all of lines 32, 33 and 34.

In line 4, Section 17 after the word "in," strike out the words "a legal" and insert in lieu thereof "the official."

And when so amended recommend the same do pass.

C. W. FINE,
Acting Chairman.

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

FIRST READING OF SENATE BILLS

Senators Thatcher, Drew and Cain introduced:

Senate Bill No. 138. A Bill for an Act Providing That Surety and Insurance Companies Other Than Life Insurance Companies, Shall Do Business in This State Only Through Duly Licensed Resident Agents, Regulating the Practice of Such Resident Agents, Providing That the Commissioner of Insurance Shall Have the Power to Refuse, Suspend or Revoke Licenses of Such Resident Agents, Authorizing the Commissioner of Insurance to Examine the Records of Surety or Insurance Companies, to Collect Premium Taxes on Surety or Insurance Companies That Have Transacted Business Within the State Without Authority, Providing Penalties for the Violations Thereof, and Repealing Sections 4961, 4962, 4963 and 4964 of the Compiled Laws of North Dakota for 1913 and Chapter 133, of the Session Laws of North Dakota for 1933.

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

Committee on Appropriations introduced:

Senate Bill No. 139. A Bill for an Act Making an Appropriation to Meet a Deficiency in the Appropriations Made to the Board of Pardons for the Biennium period expiring June 30, 1935, and Declaring an Emergency.

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

Committee on Appropriations introduced:

Senate Bill No. 140. A Bill for an Act Making an Appropriation to the Attorney General to Repay Money Borrowed from The Bank of North Dakota to Pay Expenses Incurred for Fees and Disbursements in Certain Tax Litigations, and Declaring an Emergency.

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

Senator Erickson introduced:

Senate Bill No. 141. A Bill for an Act to Repeal Section 9971a1 and Section 9971a2 of the 1925 Supplement to the Compiled Laws of 1913, and as Amended by Chapter 128 of Session Laws of 1931 of the State of North Dakota, Relating to the Drawing of a Bank Check or Draft Without Funds in the Bank to Protect the Same; and Making the Same a Misdemeanor and Providing a Penalty Therefor.

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

Senator Erickson (by request) introduced:

Senate Bill No. 142. A Bill for an Act Defining Naturopathy and Authorizing the Practice of the Same in the State of North Dakota, Providing for Qualifications of Practitioners and the Filing of Certain Records.

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

Senators Lemke and Greene of Cavalier introduced:

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 7731 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 128, Session Laws 1919, and Section 7731 of the 1925 Supplement to the Compiled Laws for Year of 1913, Relating to Exemptions of Personal Property from Attachment, Levy and Sale on Execution, and Defining "Head of Family" as Defined in Section 5626 of the Compiled Laws of 1913, and Exemptions of a Single Person, and Making Same an Emergency Measure.

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

Senators Lynn and Fowler introduced:

Senate Bill No. 144. A Bill for an Act to Amend and Re-enact Chapter 158 of the Session Laws of North Dakota for the Year 1933, Relating to Restriction of Foreclosure of Real Estate Mortgage by Advertisement, and Declaring an Emergency.

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

Senators Handley and Fine (by request) introduced:

Senate Bill No. 145. A Bill for an Act to Amend and Re-enact Section 16 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Section 396a16 of the 1925 Supplement to the Compiled Laws of 1913, Known as the Workmen's Compensation Act, Relating to Examination of Injured Employees, and the Right of an Employee to Have His Own Physician or Doctor and Providing for an

Impartial Physician or Doctor in the Case of Disagreement Between the Medical Advisor for the Bureau and the Employees Physician; and Prohibiting the Medical Examiner of the Workmen's Compensation Bureau From Treating Patients Professionally for Pay or Reward Who Are Under the Care of Said Bureau and Prohibiting Him From Recommending to Said Patient Any Doctor, Firm, Clinic, Hospital or System of Healing and Providing a Penalty Therefore, and Making the Same an Emergency Measure.

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

Senator Erickson introduced:

Senate Bill No. 146. A Bill for an Act to Repeal All of Chapter 124 of the Session Laws of the State of North Dakota for the Year 1927.

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

Senators Fine and Jones introduced:

Senate Bill No. 147. A Bill for an Act Creating a State Board to Be Known as "State Council of Public Safety," Purpose, Appointment of Members, Term of Office, Duties of Council and How Financed.

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

Senators Bonzer and Brostuen introduced:

Senate Bill No. 148. A Bill for an Act Appropriating the Sum of Thirty Thousand (\$30,000.00) Dollars, or so Much Thereof as May Be Required, to Reimburse the Bank of North Dakota for Certain Funds Loaned to the State Historical Society, for the Purpose of Purchasing State Park Lands.

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

Senators Bonzer and Brostuen introduced:

Senate Bill No. 149. A Bill for an Act to Create a State Planning Board, Prescribing the Powers and Duties Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

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

Senators Bonzer and Brostuen introduced:

Senate Bill No. 150. A Bill for an Act Empowering the State Historical Society to Acquire Lands for State Parks, State Monuments, and State Recreation Reserves, to Supervise, Control and Maintain Such State Parks, State Monu-

ments, and State Recreation Reserves, Providing for the Appointment of a State Parks Committee, and Making an Appropriation Therefor.

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

Senator Greene of Stutsman introduced:

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 138 of the 1933 Session Laws of the State of North Dakota Relating to Hail Tax Refund.

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

SENATE CONCURRENT RESOLUTION "S"

Introduced by Senator Miklethun

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING:

WHEREAS, Experience has proven that a resort to armed conflicts for the purpose of settling disputes between nations is a dismal failure, unethical and unscientific, a relic of a barbaric age when might prevailed instead of right, and

WHEREAS, The recent Senatorial investigation of the arms traffic, and other disclosures since the World War, establishes the fact that the making of wars is a universal industry, systematically conducted with the view of large profits during the prevalence of wars and in preparations for wars; and

WHEREAS, After seventeen years this nation together with many other nations of the world is still prostrate from the effects of the most tragic and the most destructive war in history, caused primarily by false but effective propaganda of the munition interests; and

WHEREAS, The annual average profits of the Atlas Powder Company during the four years of the World War increased nearly \$1,900,000; the annual profits of the Hercules Powder Company increased \$6,000,000; the profits of the Anaconda Copper Company increased \$24,000,000; the United States Steel Company over \$130,000,000; and the Bethlehem Steel Company over \$42,000,000, and the average peace-time profit of the Du Ponts grew from \$6,000,000 to \$58,000,000 during the war; and

WHEREAS, Such disclosures reveal further that insidious propaganda is extensively used in time of peace to create ill-will between the nations by cultivating and fostering fears and hates with periodic war scares, thus stimulating larger demands for war preparations; and

WHEREAS, It appears that so long as individuals and private concerns are permitted to make profit by engaging in the munition traffic during war or in time of peace, that the nations of the world will never be able to establish and maintain peaceful relations on a permanent basis,

NOW, THEREFORE, Be it resolved by the Senate of the State of North Dakota, the House of Representatives concurring, that the Legislative Assembly of North Dakota respectfully memorializes the Congress of the United States to immediately pass all necessary legislation prohibiting the private manufacture and sale of war munitions and providing that the Government of the United States shall have a full and complete monopoly thereof, and

BE IT FURTHER RESOLVED, That attested copies of this resolution be forwarded to both Houses of the Congress of the United States, and to each member thereof from this State.

Referred to the Committee on State Affairs.

SECOND READING OF SENATE BILLS

Senate Bill No. 103. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Maintenance of the Office of State Treasurer for the Remainder of the Fiscal Year Ending June 30, 1935, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Erickson	Lowe	Topp
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Those voting in the negative were:

Messrs.
Johnson

Absent and not voting:

Messrs.	Messrs.
Bonzer	Matthaei
Eastgate	Trout

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 102. A Bill for an Act to Amend and Re-enact Section 1866A4 and Repeal Section 1866A6, Supplement to the Compiled Laws of 1913, Relating to the Northwest Agricultural Livestock and Fair Association, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Johnson	Owings
Brostuen	Kamrath	Peterson
Cain	Kolpin	Strehlow
Coffey	Kroeber	Stucke
Crandall	Lemke	Thatcher
Drew	Lind	Thorson
Dubay	Lowe	Topp
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Those voting in the negative were:

Messrs.
Erickson
Jones

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	Matthaei	Trout

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Miklethun moved that Senate Bill No. 44 be laid over until Monday.

Which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

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

House Bill No. 69. A Bill for an Act Making an Appropriation to Make Up the Deficit in the Fund Known as "The Insurance Tax to Fire Departments" 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 of 1913.

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

House Bill No. 115. A Bill for an Act to Repeal All of Article 7a of the Political Code as Found in the 1925 Supplement to the 1913 Compiled Codes with All Amendments Thereof, Relating to State Transportation Officer. Repeal.

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

SECOND READING OF HOUSE BILLS

House Bill No. 46. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 98, Session Laws of 1933, Relating to Expenditures of Poor Relief Purposes Where the Regular Appropriation is Insufficient and Where There Is Not a Sufficient Unexpended Balance in Any Funds to Meet an Emergency Created by Unusual and Unanticipated Demands for the Relief of the Poor, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.
Eastgate	Matthaei

So the bill passed and the title was agreed to, and the emergency clause declared carried.

House Bill No. 78. A Bill for an Act to Amend and Re-enact Section 7375 of the 1913 Compiled Laws, Enumerating the Kinds of Actions Which Must Be Commenced Within Six Years After the Cause of Action Accrues.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.
Eastgate	Matthaei

So the bill passed and the title was agreed to.

Senator Fowler moved to amend the committee report on House Bill No. 23 as follows:

In line 3 of Section 3 of the engrossed bill, after the word "custodian," the words "and guide" be inserted.

Which motion prevailed.

Senator McDonald moved that House Bill No. 23 be indefinitely postponed.

Which motion was lost.

House Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws of North Dakota of

the Year 1929, Relating to the Custodian of the State Capitol and Grounds and Describing his Powers, Duties and Compensation; and Appointing Such Custodian.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 34; nays, 13; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Peterson
Braaten	Handley	Stucke
Cain	Kamrath	Thatcher
Coffey	Kolpin	Topp
Crandall	Kroeber	Trout
Drew	Lind	Trovatten
Dubay	Lynn	Vinje
Erickson	McGillic	Watt
Ettestad	Mutchler	Whelan
Fowler	Nelson, Grand Fks.	Wog
Greene, Cavalier	Owings	Young
Greene, Stutsman		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Lemke	Miklethun
Fine	Lowe	Nelson, Barnes
Fredrickson	Marshall	Strehlow
Johnson	McDonald	Thorson
Jones		

Absent and not voting:

Messrs.	Messrs.
Eastgate	Matthaei

So the bill passed and the title was agreed to.

Senator Cain moved that the vote by which House Bill No. 23 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fowler moved that the report of the Committee on House Bill No. 45 be amended by striking out the proviso for the amendment so that the report shall read that the Bill "do pass."

Which motion prevailed.

House Bill No. 45. A Bill for an Act Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents, and Employees, Exempting the Governor, of the State of North Dakota, or of any of its Sub-divisions, While Upon

Public Expense Account; Providing a Penalty for Violation Thereof, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.
Eastgate	Matthaei

So the bill passed and the title was agreed to, and the emergency clause declared carried.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

HOUSE CONCURRENT RESOLUTION A-9

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

Senator Erickson moved to amend House Concurrent Resolution A-7 in line 21 of the printed resolution by striking out the word "steps" after the word "immediate" and insert the word "steps" after the word "definite."

Which motion prevailed.

Senator Erickson moved that the rules be suspended and that House Concurrent Resolution A-7, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

HOUSE CONCURRENT RESOLUTION "A-7"

Was read the second time.

ROLL CALL

The question being on the adoption of the Resolution as amended, 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.
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Erickson	Lowe	Topp
Ettestad	Lynn	Trout
Fowler	Marshall	Trovatten
Fredrickson	McDonald	Vinje
Greene, Cavalier	McGillic	Watt
Greene, Stutsman	Miklethun	Whelan
Gronvold	Mutchler	Wog
Handley	Nelson, Barnes	Young
Johnson	Nelson, Grand Fks.	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Eastgate	Matthaei
Cain	Fine	

So the Resolution was adopted.

COURTESIES OF THE FLOOR

Courtesies of the floor were extended to the following:

Mrs. Harry O'Brien, John Omland, Park River; A. G. Strand, Grafton; John Otto, Juanita; Harold Kalberg, Carington; Mr. and Mrs. Joe Voller, Rugby; L. F. Lesmister, Selz; B. J. Burreson, Lakota; Mrs. Inga Norstog, Schafer; Mr. and Mrs. Henry Gravas, Arnegard; Evan Kristianson, Watford City; Evald Glasson, Aug. Glassen, Davenport; Lloyd Laske, Herman Salzwedel, P. J. Bartholomey, Leonard; Albert Van Berkom, Jim Van Berkom, Frank Van Berkom and M. J. Van Berkom, Powers Lake; John Bermel, H. E. Trulson, Joe Kerchenke, Harry Bergstrom, Herman Selvig, Matt Sandvig, Bert Rostvedt, Iver Justad, Plaza; Morten Omodth and Christ Stang, Bucyrus; Clarence Holdrig, Hettiger; Pete Petterson and Clarence Twødt, Reeder; Harley Jennings, Lemmon, S. D.; Mr. and Mrs. Charley Devine, Williston; Mrs. H. W. Anderberg, Teddy Anderberg and Frances Schmidt, Jamestown; Mrs. Gilbert Bauckey, Minot.

Senator Nelson of Grand Forks moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

THIRTY-SECOND DAY

Senate Chamber,
Bismarck, North Dakota,
February 8, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. Ira E. Herzberg.

Roll call: All Senators were present except Senators Matthaei, Trovatten and Wog.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-first day and recommend that the same be corrected as follows:

In line 12, page 11, strike out the name "Fowler" and insert in lieu thereof the name "Watt."

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 8, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 45. A Bill for an Act Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents, and Employees, Exempting the Governor, of the State of

North Dakota, or of any of its Sub-divisions, While Upon Public Expense Account; Providing a Penalty for Violation Thereof, and Declaring an Emergency.

Also,

House Bill No. 46. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 98, Session Laws of 1933, Relating to Expenditures of Poor Relief Purposes Where the Regular Appropriation is Insufficient and Where There Is Not a Sufficient Unexpended Balance in Any Funds to Meet an Emergency Created by Unusual and Unanticipated Demands for the Relief of the Poor, and Declaring an Emergency.

Which the Senate has passed.

Also transmit herewith:

Senate Bill No. 102. A Bill for an Act to Amend and Re-enact Section 1866A4 and Repeal Section 1866A6, Supplement to the Compiled Laws of 1913, Relating to the Northwest Agricultural Livestock and Fair Association, and Declaring an Emergency.

Also,

Senate Bill No. 103. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Maintenance of the Office of State Treasurer for the Remainder of the Fiscal Year Ending June 30, 1935, and Declaring an Emergency.

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

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 8, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws of North Dakota of the Year 1929, Relating to the Custodian of the State Capitol and Grounds and Describing his Powers, Duties and Compensation; and Appointing Such Custodian.

Also,

House Bill No. 78. A Bill for an Act to Amend and Re-enact Section 7375 of the 1913 Compiled Laws, Enumerating the Kinds of Actions Which Must Be Commenced Within Six Years After the Cause of Action Accrues.

Which the Senate has amended.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 8, 1935.

Mr. Speaker: I have the honor to return:

HOUSE CONCURRENT RESOLUTION "A-9"

Which the President has signed.

Also transmit herewith:

SENATE CONCURRENT RESOLUTION "G"

Also,

SENATE CONCURRENT RESOLUTION "I"

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 8, 1935.

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

Senate Bill No. 36. A Bill for an Act to Repeal Sub-sections C and E of Section 1 of Chapter 185, Laws of 1933, and to Amend and Re-enact Section 2 of Chapter 205, Laws of 1931, Relating to the Board of State Capitol Commissioners, and Declaring an Emergency.

Which the House has passed.

Also,

Senate Bill No. 5. 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 Amendments There-to, and to Meet Other Requirements Prescribed by the Federal Statutes.

Which the House has amended.

Also transmit:

House Bill No. 132. A Bill for an Act Making a Special Appropriation to Cover Deficits in the Clerk Hire, Printing, Postage and Office Supplies Funds for the Maintenance and Operation of the Workmen's Compensation Bureau.

Also,

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 134 of the 1927 Session Laws Relating to the Return and Disposition of Election Ballots and Compensation of Election Officers.

Also,

House Bill No. 134. A Bill for an Act Amending Section 160 of the 1925 Supplement to the Compiled Laws of North Dakota, Relating to the Appointment of Assistant and Special Assistant Attorneys General, Providing for Their Compensation and Duties, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 124. A Bill for an Act to Amend and Re-enact Section 9023 of the 1913 Compiled Laws of the State of North Dakota Relating to the Time for Defendant's Appearance in Justice Court.

Also,

House Bill No. 131. A Bill for an Act to Amend and Re-enact Section 1, Chapter 159, Session Laws for 1931, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, Defining Imitation Ice Cream.

Also,

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 975 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Publication of Nominations for Office and Fixing Duty of County Auditor With Reference Thereto and Providing for the Number of Publications Thereof.

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

Also inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 66, Representatives Noben, Brunsdale and Bjerke.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A petition presented by Senator Eastgate, signed, Larimore W. C. T. U., asking that he vote against legalizing liquor.

A like resolution was presented by Senator Nelson of Grand Forks, sent from the Bethel Lutheran Church.

A like resolution presented by Senator Miklethun, signed by three voters.

Referred to the Committee on Temperance.

A resolution presented by Senator Lind, signed, Ben Olson and three other members of Farmers Union Local No. 414, asking a correspondence course in high school subjects.

Two like petitions were presented by Senator Thorson, signed, Henry Richardson, Secretary Local 1099, and John Wieland, President of Local 1087.

Which were referred to the Committee on Education.

A petition was presented by Senator Fredrickson, signed, Roy F. Dow, Commander, regarding an appropriation for the Soldiers' Home at Lisbon.

Which was referred to the Committee on Appropriations.

A petition was presented by Senator Peterson, signed, H. J. Steffen of Parshall and 145 others, protesting Senate Bill No. 73.

Referred to the Committee on Taxes and Tax Laws.

A communication was received from the Board of Administration, signed, Nelson Sauvain, Chairman, stating that the Board would be governed by the action of the Legislature regarding the Third House dance to be held in the Capitol Building.

Senator Bonzer moved that the Senate cooperate with the House Resolution giving the Third House the right to hold a dance in the hearing room of the State Capitol.

Which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted a resolution allowing the rooms on the ground floor to be used for a Third House party on the evening of February 8, 1935.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 8, 1935.

Mr. Speaker: I have the honor to return House Concurrent Resolution "A-7" which the Senate has amended as follows:

In line 21 of the printed resolution strike out the word "steps" after the word "immediate" and insert the word "steps" after the word "definite."

Very respectfully,

F. E. TUNELL,
Secretary.

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. 112. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Stenographers, and Clerkhire, Express and Freight, Postage, Telegrams and Telephones, Office Supplies, Printing, Traveling Expenses, and Miscellaneous Expenses of the State Geological Survey, and Declaring an Emergency.

And find the same correctly engrossed.

THOMAS WHELAN,
Chairman.

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

REPORT OF STANDING COMMITTEES

The Committee on Judiciary made the following report:

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

Senate Bill No. 110. A Bill for an Act Declaring the Draining of a Meandered Lake Within the State of North Dakota to Be a Misdemeanor and Providing Penalties Therefor.

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

In line 7, Section 1, of the printed bill, after the word "fine" strike out the words "of not less than" and insert the words "not to exceed" in lieu thereof.

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain 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. 122. A Bill for an Act to Amend and Re-enact Sections 3084a2, 3084a3, 3084a7 and 3084a9 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913, Providing for the Appointment of the State Coal Mine Inspector by the Workmen's Compensation Bureau, Defining Eligibility to That Office, Providing for Assistance and Instruments to Be Furnished to the Inspector and for Payment Therefor and Providing for the Filling of Temporary Vacancies in the Office, and Declaring an Emergency.

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

In line 2 of the title of the printed bill, after the figures "3084a9" strike out the words and figures "of the 1925" and insert a comma; and in the same line, after the words "Compiled Laws of" strike out the words "the State of North Dakota for the Year."

In line 1, Section 1, of the printed bill, after the figures "3084a2" strike out the words and figures "of the 1925"; and in line 2, Section 1, after the words "Laws of" strike out the words "the State of North Dakota for the year."

In line 1, Section 2, of the printed bill, after the figures "3084a3" strike out the words and figures "of the 1925"; and in line 2, Section 2, after the words "Laws of" strike out the words "the State of North Dakota for the year."

In line 1, Section 3, of the printed bill, after the figures "3084a7" strike out the words and figures "of the 1925"; and in line 2, Section 3, after the words "Laws of" strike out the words "the State of North Dakota for the year." In line 13, Section 3, after the word "paid" strike out the word "for" and insert the word "from" in lieu thereof.

In line 1, Section 4, of the printed bill, after the figures "3084a9" strike out the words and figures "of the 1925"; and in line 2, Section 4, after the words "Laws of" strike out the words "the State of North Dakota for the year."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

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

The Committee on Judiciary made the following report:

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

Senate Bill No. 123. A Bill for an Act Providing for the Procuring of Coal Mine Licenses from the State Coal Mine Inspector, the Establishment of the State Coal Mining Safety Fund from Such Fees and for the Disbursement Thereof, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and Reporting Thereof to the State Coal Mine Inspector and Commis-

sioner of Agriculture and Labor, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court from Such Order of Revocation, Providing a Penalty for Failure to Comply with the Law, Repealing Sections 3081, 3082, 3083 and 3084 of the Compiled Laws of the State of North Dakota for the Year 1913 and all Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

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

In line 15, Section 6, of the printed bill, after the word "appeal" strike out the period and insert a comma and the following language: "unless otherwise ordered by said District Court after notice given to said inspector."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain 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. 95. A Bill for an Act to Amend and Re-enact Section 7643, Supplement to the Compiled Laws of 1913, Relating to Directed Verdicts, and Declaring an Emergency.

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

J. P. CAIN,
Chairman.

Senator Cain 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: The Majority of your Committee on Taxes and Tax Laws to whom was referred:

SENATE CONCURRENT RESOLUTION "J"

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

W. J. TROUT,
G. F. DREW,
HARRY PETERSON,
E. E. GREENE,
OLE ETTESTAD,
J. T. MCGILLIC,
C. W. FINE.

Senator Greene of Stutsman moved that the majority report be adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. President: The Minority of your Committee on Taxes and Tax Laws to whom was referred:

SENATE CONCURRENT RESOLUTION "J"

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

J. P. CAIN,
W. S. HANDLEY,
A. W. FOWLER,
T. E. WHELAN,
A. F. BONZER, Jr.,
O. E. ERICKSON.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved as a substitute motion that the word "Minority" be substituted for the word "Majority."

Which motion prevailed, and the Minority report to indefinitely postpone the Resolution was adopted.

The Committee on Highways and Bridges made the following report:

Mr. President: Your Committee on Highways and Bridges to whom was referred:

Senate Bill No. 108. A Bill for an Act to Amend and Re-enact Section 36 of Chapter 162 of the Session Laws of North Dakota for 1927 as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1931 and as Further Amended by Chapter 163 of the Session Laws of North Dakota for the Year 1933.

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

HARRY PETERSON,
Chairman.

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

The Committee on Highways and Bridges made the following report:

Mr. President: Your Committee on Highways and Bridges to whom was referred:

Senate Bill No. 91. A Bill for an Act Requiring Issuance of Receipt for Road Tax Paid Interstate Carriers, and Requiring Posting of Receipts.

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

HARRY PETERSON,
Chairman.

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

The Committee on Highways and Bridges made the following report:

Mr. President: Your Committee on Highways and Bridges to whom was referred:

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 162 of the 1933 Session Laws, Providing for Taxation of Motor Vehicles Using the Highways of the State of North Dakota for Commercial Purposes, and Engaged in Transportation for Hire in Interstate Commerce.

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

In line 18, of the printed bill, after the word "station," strike out the period and insert the following language: "if under the law of the state of the residence of such owner like exemptions and privileges are granted to vehicles duly registered under the law and owned by residents of this state."

And when so amended recommend the same do pass.

HARRY PETERSON,
Chairman.

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

The Committee on Public Health made the following report:

Mr. President: Your Committee on Public Health to whom was referred:

House Bill No. 8. A Bill For an Act to Amend and Re-enact Sections 2 and 8 of Chapter 95, Session Laws of 1929: "An Act to Regulate the Practice of Chiropody, to Create a State Board of Chiropody, to Provide for the Examination and Licensing of Chiropodists and Providing Penalties for the Violation Thereof."

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

E. C. STUCKE,
Chairman.

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

The Committee on Taxes and Tax Laws made the following report:

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

Senate Bill No. 84. A Bill for an Act Limiting the Maximum Amount of Taxes Which Assessment Board May Levy and Assess Against Property, Real, Personal, and Mixed.

Have had the same under consideration and in view of the creation of the Tax Survey Commission and that the subject matter of this bill will undoubtedly be considered by such Commission, we move that this bill be indefinitely postponed.

J. K. BROSTUEN,
Chairman.

Senator Brostuen 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. 83. A Bill for an Act to Amend and Re-enact the Initiated Measure Approved June 29, 1932, Entitled, "An Act to Amend and Re-enact Chapter 59 of the Laws of North Dakota for the Year 1917 as Amended by Chapter 220 of the Laws of North Dakota, Enacted by the Regular Session of the Legislature, for the Year 1919 as Amended by Chapter 298 of the Laws of North Dakota for the Year 1923, the Same Being Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Basis of Assessment of Property for Taxation Purposes, and to Reduce Such Basis from Seventy-five (75) per cent of the Full and True Value Thereof to Fifty (50) per cent of the Full and True Value Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith," Relating to the Basis of Assessment of Property for Taxation Purposes, and to Raise Such Basis from Fifty (50) per cent of the Full and True Value Thereof to One Hundred (100) per cent of the Full and True Value Thereof, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Have had the same under consideration and in view of the creation of the Tax Survey Commission and that the subject matter of this bill will undoubtedly be considered by such Commission we move that this bill be indefinitely postponed.

J. K. BROSTUEN,
Chairman.

Senator Brostuen 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. 86. A Bill for an Act to Provide for Certain Exemptions from Taxation for Farm Owners Living Upon Their Farm.

Have had the same under consideration and in view of the creation of the Tax Survey Commission and that the subject matter of this bill will undoubtedly be considered by such Commission we move that this bill be indefinitely postponed.

J. K. BROSTUEN,
Chairman.

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

Senator Kamrath moved that all absent Senators be excused.

Which motion prevailed.

Senator Bonzer: "I would like at this time to have unanimous consent to withdraw Senate Bill No. 73, the bill for a tax on lignite coal.

"I put this bill in the Senate principally to make the people of the State of North Dakota tax minded and tax conscious; to make them realize that this Senatorial body is up against a real problem and until we can bring these facts home to the people in the country and into the rural districts, we will be unable to get their cooperation. Therefore, by suggesting the tax on lignite, which is a commodity used in every walk of life, it was an awakening.

"Inasmuch as a tax committee has now been appointed to go over the tax situation in the State of North Dakota, I want to withdraw this bill."

Which request was granted.

FIRST READING OF SENATE BILLS

Senators Fine, Lemke and Brostuen introduced:

Senate Bill No. 152. A Bill for an Act to Amend and Re-enact Section 3511 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Fees Charged by the Register of Deeds, and Furnishing Certified Abstracts of Title to Real Estate and Chattel Mortgage and Lien Abstracts; and Disposal of Satisfied and Cancelled Instruments.

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

Senators Fine, Lemke and Brostuen introduced:

Senate Bill No. 153. A Bill for an Act to Amend and Re-enact Sections 3099a1, 3099a5, and 3099a6 of the 1925 Supplement to the Compiled Laws of North Dakota of the Year 1913, and as Amended by Chapter 1, Session Laws of 1929; and, also Section 3099a9 of the 1925 Supplement to the Com-

piled Laws of North Dakota of the Year 1913, Relating to Qualifications of Abstractors of Title to Real and Personal Property, and Fees Allowed.

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

Committee on Highways introduced:

Senate Bill No. 154. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 19 of Chapter 179 of the Session Laws of 1927, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Was read the first time and referred to the Committee on Highways.

Committee on Highways introduced:

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 162 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Was read the first time and referred to the Committee on Highways.

Committee on Highways introduced:

Senate Bill No. 156. A Bill for an Act to Amend and Re-enact Subdivision (d) of Section 1 of Chapter 188 of the Session Laws of 1931, Relating to Regulations of Motor Vehicle Transportation, and Declaring an Emergency.

Was read the first time and referred to the Committee on Highways.

Senators Ettestad and Fine introduced:

Senate Bill No. 157. A Bill for an Act to Amend and Re-enact Section 368a4 of Chapter 191 of Session Laws of North Dakota for 1933, Relating to the Industrial Commission, Official Seal, Authenticating Documentary Acts, When Acts Become Effective, and Repealing Acts in Conflict Therewith.

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

Committee on Education introduced:

Senate Bill No. 158. A Bill for an Act to Require Free Correspondence Courses to Be Provided for All North Dakota Children of High School Age.

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

Senator Whelan introduced:

Senate Bill No. 159. A Bill for an Act to Provide for Reciprocal Fire Underwriters' Licenses.

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

Senators Whelan, Nelson of Grand Forks, and Brostuen introduced:

Senate Bill No. 160. A Bill for an Act to Amend and Re-enact Chapter 272 of the Session Laws of 1931, Authorizing the Board of Administration, with the Approval and Consent of the Governor, to Transfer the License of the Radio Station Located at the State University of North Dakota at Grand Forks, North Dakota.

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

Senator Ettestad introduced:

Senate Bill No. 161. A Bill for an Act Providing for the Regulation of Dealers in Livestock, and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Records Required of Dealer; Feeding, Watering and Weighing; Acts of Deceit, Fraud and Dishonesty; Penalty for Violation of Act; and, Repealing all of Chapter 7 of the Session Laws of the State of North Dakota for the Year 1933; and Repealing all Acts in Conflict Herewith; and Making the Act an Emergency Measure.

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

SECOND READING OF SENATE BILLS

Senator Johnson moved that Senate Bill No. 109 be amended as follows:

In line 1 of the printed bill strike out the word "It" and insert in lieu thereof the word "There."

Which motion prevailed.

Senator Fine moved that the rules be suspended and that Senate Bill No. 109, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 109. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-third Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as

amended, the roll was called and there were ayes, 42; nays, 1; absent and not voting, 5; passed, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Handley	Nelson, Barnes
Brostuen	Jones	Nelson, Grand Fks.
Cain	Kamrath	Owings
Crandall	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Stucke
Eastgate	Lind	Thatcher
Ettestad	Lowe	Thorson
Fine	Lynn	Topp
Fowler	Marshall	Trout
Fredrickson	McDonald	Vinje
Greene, Cavalier	McGillic	Watt
Greene, Stutsman	Miklethun	Whelan
Gronvold	Mutchler	Young

Those voting in the negative were:

Messrs.
Johnson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Coffey	Matthaei	Wog
Erickson	Trovatten	

Passed:

Messrs.
Bonzer

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Johnson: "I believe that this Legislative Assembly is establishing a precedent that is going to return to plague us in the future. We have come here and put our O. K. on five deficiency appropriation bills. I do not see why, when the Legislative Assembly has appropriated a certain amount of money, that those who have to do with the spending of that money should not stay within that amount. I believe deficiency appropriations should be allowed only when an emergency has existed. I do not see that any great emergency has existed in the last two years. I voted 'no' on every deficiency appropriation that has come up so far and I am going to vote 'no' on this one."

Senate Bill No. 112. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Stenographers, and Clerkhire, Express and Freight, Postage, Telegrams and Telephones, Office Supplies, Printing, Traveling Expenses, and Miscellaneous Expenses of the State Geological Survey, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lind	Thorson
Ettestad	Lowe	Topp
Fine	Lynn	Trout
Fowler	Marshall	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Coffey	Matthaei	Wog
Erickson	Trovatten	

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Ettestad moved that House Concurrent Resolution A-6 be laid over one legislative day.

Which motion prevailed.

MESSAGE TO THE HOUSE

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

Senate Bill No. 112. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Stenographers, and Clerkhire, Express and Freight, Postage, Telegrams and Telephones, Office Supplies, Printing, Traveling Expenses, and Miscellaneous Expenses of the State Geological Survey, and Declaring an Emergency.

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

Very respectfully,

F. E. TUNELL,
Secretary.

FIRST READING OF HOUSE BILLS

House Bill No. 132. A Bill for an Act Making a Special

Appropriation to Cover Deficits in the Clerk Hire, Printing, Postage and Office Supplies Funds for the Maintenance and Operation of the Workmen's Compensation Bureau.

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

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 134 of the 1927 Session Laws Relating to the Return and Disposition of Election Ballots and Compensation of Election Officers.

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

House Bill No. 134. A Bill for an Act Amending Section 160 of the 1925 Supplement to the Compiled Laws of North Dakota, Relating to the Appointment of Assistant and Special Assistant Attorneys General, Providing for Their Compensation and Duties, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

House Bill No. 124. A Bill for an Act to Amend and Re-enact Section 9023 of the 1913 Compiled Laws of the State of North Dakota Relating to the Time for Defendant's Appearance in Justice Court.

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

House Bill No. 131. A Bill for an Act to Amend and Re-enact Section 1, Chapter 159, Session Laws for 1931, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, Defining Imitation Ice Cream.

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

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 975 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Publication of Nominations for Office and Fixing Duty of County Auditor With Reference Thereto and Providing for the Number of Publications Thereof.

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

The following resolutions were filed with the Secretary of State:

SENATE JOINT RESOLUTION "B"
(Introduced as Senate Concurrent Resolution "B")

SENATE CONCURRENT RESOLUTION "H"

SENATE CONCURRENT RESOLUTION "D"

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Luba E. Roman, Rolla; Blanche Stevens, and Nellie B. Howard of Ellendale; Bernita Strouse, Forman; Helen Schell, Williston; Mrs. William Watt, Leonard; F. J. Graham and W. E. Black of Ellendale; Lewis Wallin, Van Hook; Paul Douglas, Stanley; Hon. Ben Northridge, Dr. C. E. Allen, Fred Fredrickson, Ben Grotte, Herman Stern, Joe Schmitz, Sam Story, G. C. Christianson, Elmer Cowdray, Arthur Lee, D. R. Ritchie, all of Valley City; R. C. Stubbs, Center; J. O. Reidel, Stanton; V. E. Gessner, Bottineau; Paul Welder, Peter Ackermann and Joe Welder of Greenway, S. D.; John Marquart, Fred Graf and Tom Schirado of Napoleon; H. C. Fulton and Sidney Lokken of Jamestown; Philip Schiff, Mohall; C. D. Dickinson, Norma; Mrs. Ina Marie Berkeland, Minot; Mrs. Stella Hendrickson, Leonard; A. J. Fisher, Minot; Mr. and Mrs. Steve Koppy, Mr. and Mrs. John Ohlouser and Curtis Jenkins of Linton; John Leakie, Trotters; P. J. Barrett, Sanish; Leslie Putnam, C. B. Craven, Nels Kunkel, G. E. White, R. G. Graham and Wm. Swinton of Carrington; Robert Wage, Tuttle; Mr. and Mrs. H. O. Phippen, Dickinson.

Senator Brostuen moved that the Senate recess until 1:00 o'clock P. M. Monday.

Which motion prevailed.

F. E. TUNELL,
Secretary.

THIRTY-SECOND DAY AFTER RECESS AND THE
THIRTY-FIFTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 11, 1935.

The Senate convened at 1:00 P. M., pursuant to recess,
President pro tem. Marshall presiding.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

February 6, 1935.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed
with the Secretary of State:

Senate Bill No. 12. A Bill for an Act to Prohibit Marathon Dances, Walkathons, Skatathons, or any Endurance Contest and Providing Penalties for any Person, Firm, or Corporation Participating in, Attending or Promoting Such Contest, and Declaring an Emergency.

Senate Bill No. 26. A Bill for an Act to Provide for the Scaling Down and Discounting of Past Due Interest on Loans Made by the Board of University and School Lands.

Senate Bill No. 31. A Bill for an Act to Amend and Re-enact Section 9163 of the Compiled Laws of North Dakota, for the Year 1913, Relating to Appeals From Justice Courts.

Senate Bill No. 33. A Bill for an Act Requiring Judgment Creditors to File an Affidavit Identifying the Judgment Debtor, Forbidding Clerks of Court and Other Officers to Enter Judgments Without Affidavits of Identification, and Providing a Penalty for Failure to Comply with This Law.

Senate Bill No. 40. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by the Wahpeton Military Training School as Mortgagor to the State of North Dakota as Mortgagee, Dated October 4, 1910, Filed for Record in the Office of the Register of Deeds of Richland County, North Dakota, on October 12, 1910, at 11:30 A. M. and Recorded in Book 69 of Mortgages at Page 176, and Covering Lots Numbered Sixteen (16) and Seventeen (17) in Block Thirty-seven (37) of the Original Townsite of the City of Wahpeton, Richland County, North Dakota, Insofar as Said Mortgage Is a Lien Upon and Affects Said Lot Sixteen (16) But Not Otherwise, and Declaring an Emergency.

Very truly yours,

WALTER WELFORD,
Acting Governor.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 11, 1935.

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

Senate Bill No. 109. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-third Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

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

Very respectfully,

F. E. TUNELL,
Secretary.

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. 36. A Bill for an Act to Repeal Sub-sections C and E of Section 1 of Chapter 185, Laws of 1933, and to Amend and Re-enact Section 2 of Chapter 205, Laws of 1931, Relating to the Board of State Capitol Commissioners, and Declaring an Emergency.

And find the same correctly enrolled.

Also,

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 162 of the 1933 Session Laws, Providing for Taxation of Motor Vehicles Using the Highways of the State of North Dakota for Commercial Purposes, and Engaged in Transportation for Hire in Interstate Commerce.

Also,

Senate Bill No. 109. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-third Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

Also,

Senate Bill No. 96. A Bill for an Act to Amend and Re-enact Sections 189b1 and 189b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and to Amend and Re-enact Sections 189b3, 189b5, 189b7, 189b8, 189b9, 189b10, 189b11, 189b12, 189b13, 189b15, 189b21, 189b25, and 189b29 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota as Amended and Re-enacted by Chapter 170 of the 1931 Session Laws of North Dakota, and as Amended and Re-enacted by Sections 1, 2, 3, 4, 5, 7, 10, 11, 12, 15, 17, and 18 of Chapter 137 of the 1933 Session Laws of North Dakota, and Section 10 of Chapter 170 of the 1931 Session Laws of the State of North Dakota, Repealing All Acts or Parts of Acts in Conflict Herewith; Relating to State Hail Insurance, Providing for Insuring Crops Against Loss by Hail, Defining Duties of the Assessors; Providing for Collections of Taxes, Fixing Amounts and Providing for Adjustment of Claims of Indemnity; and Abatement of Hail Indemnity Tax and Correction of Records and Declaring an Emergency.

Also,

Senate Bill No. 110. A Bill for an Act Declaring the Draining of a Meandered Lake Within the State of North Dakota to Be a Misdemeanor and Providing Penalties Therefor.

Also,

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 3084a2, 3084a3, 3084a7 and 3084a9, Supplement to the Compiled Laws of 1913, Providing for the Appointment of the State Coal Mine Inspector by the Workmen's Compensation Bureau, Defining Eligibility to That Office, Providing for Assistance and Instruments to Be Furnished to the Inspector and for Payment Therefor and Providing for the Filling of Temporary Vacancies in the Office, and Declaring an Emergency.

Also,

Senate Bill No. 123. A Bill for an Act Providing for the Procuring of Coal Mine Licenses from the State Coal Mine Inspector, the Establishment of the State Coal Mining Safety Fund from Such Fees and for the Disbursement Thereof, Providing for the Keeping and Furnishing by Coal

Mine Operators of Such Records and Statistics and Reporting Thereof to the State Coal Mine Inspector and Commissioner of Agriculture and Labor, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court from Such Order of Revocation, Providing a Penalty for Failure to Comply with the Law, Repealing Sections 3081, 3082, 3083 and 3084 of the Compiled Laws of the State of North Dakota for the Year 1913 and all Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

And find the same correctly engrossed.

THOMAS WHELAN,
Chairman.

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

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

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

Senate Bill No. 74. A Bill for an Act to Provide for the Apportionment of the Expense of Auditing and Examining the Affairs of the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, Bank of North Dakota, Including the Farm Loan Department, the State Hail Insurance Fund, and the Workmen's Compensation Bureau of the State of North Dakota by the State Board of Auditors Pursuant to the Initiated Measure Approved November 2, 1920, and Chapter 143 of the Session Laws of 1923, and Providing a Fund for the Payment of Such Expense.

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

Strike out everything after "A Bill," and insert in lieu thereof the following language:

Amendment to Senate Bill No. 74:

Senate Bill No. 74. A Bill for an Act to Provide for the Payment of the Expense of Auditing and Examining the Affairs of the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, the Bank of North Dakota, including the Farm Loan Department, the State Hail Insurance Department, the Workmen's Compensation Bureau of the State of North Dakota, the Office of the Beer Commissioner of the State of North Dakota, the North Dakota State Regulatory Department, and the North Dakota Teachers Insurance and Retirement Fund, by the State Board of Auditors Pursuant to Section 369-b of the Supplement to the Compiled Laws of North Dakota for 1913, as

Amended by Chapter 186 of the Laws of 1933; Designating and Appropriating the Funds from Which Such Payment Shall Be Made; Providing for the Procedure for Such Payment; Providing for the Repeal of Any Acts in Conflict Herewith; and Declaring an Emergency.

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

Section 1.) In order to provide funds for paying the expense of the audits and examinations of industrial and business institutions of the State of North Dakota by the State Board of Auditors as provided for by Section 369-b of the Supplement to the Compiled Laws of North Dakota for 1913, as amended by Chapter 186 of the Laws of 1933, the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, the Bank of North Dakota, including the Farm Loan Department, the State Hail Insurance Department, the Workmen's Compensation Bureau of the State of North Dakota, the office of the Beer Commissioner of the State of North Dakota, the North Dakota State Regulatory Department, and the North Dakota Teachers Insurance and Retirement Fund, immediately upon the receipt of a statement of the actual expense of auditing such Departments or Institutions, such Department or Institution shall pay to the State Treasurer of the State of North Dakota, to the account of the State Board of Auditors and to be by the State Treasurer deposited in a Special Fund to be known as State Board of Auditors Fund, the actual expenses for such services. Disbursements from said fund shall be made on vouchers of the State Board of Auditors, duly approved by the State Auditing Board as other claims are allowed. Such payment shall be made out of the funds used for the operation of each of the aforesaid Departments or Institutions. Provided, however, that the auditing fee for such service in any one year shall not exceed the sum set forth for the various institutions and departments, as follows:

North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks	\$4,000.00
The Bank of North Dakota, including the Farm Loan Department	7,000.00
The State Hail Insurance Department	2,000.00
The Workmen's Compensation Bureau	1,500.00
The Office of the Beer Commissioner of the State of North Dakota	500.00
The North Dakota State Regulatory Department	1,500.00
The North Dakota Teachers Insurance and Retirement Fund	500.00

Section 2. APPROPRIATIONS.) The amounts herein directed to be paid by the aforesaid mentioned Departments

and Institutions, shall be deemed and considered as appropriations of each amount thereof to the State Board of Auditors Fund.

Section 3. REPEAL.) All Acts or parts of Acts 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 immediately upon its passage and approval.

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

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

The Committee on Highways and Bridges made the following report:

Mr. President: Your Committee on Highways and Bridges to whom was referred:

Senate Bill No. 154. A Bill for an Act to Amend and Re-enact Sub-section. (b) of Section 19 of Chapter 179 of the Session Laws of 1927, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

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

HARRY PETERSON,
Chairman.

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

The Committee on Highways and Bridges made the following report:

Mr. President: Your Committee on Highways and Bridges to whom was referred:

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 26, 27, 31, 32, 33 and 35 of Chapter 164, Relating to Regulations of Motor Vehicle Transportation, of the Session Laws for 1933.

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

Correct Section 1 amendment of bill to read as follows:

"For an Act to amend and re-enact Sections 26, 27, 31, 32, 33 and 35 of Chapter 164 of the Session Laws for 1933, relating to regulations of motor vehicle transportation."

In line 10 of Section 26, on page 1 of the printed bill, following the word "insurance" insert the following: "in the State of North Dakota."

In Line 14 of Section 26, on page 2 of the printed bill, following the word "carrier" strike out the comma and insert in lieu thereof a period, and strike out the following words: "and also to guarantee the payment by the carrier of all legal obligations incurred by such carrier in connection with the operation or conduct of his or its business as such common motor carrier or contract carrier."

In Line 21 of Section 26, on page 2 of printed bill, following the word "jury," strike out the period and insert in lieu thereof a semicolon and add the following words: "but upon final judgment the insurer or surety shall become directly liable to the owner of such judgment for the full amount thereof, but not exceeding the amount of the policy of insurance or surety bond applicable to such loss."

On page 2 of printed bill, Section 26, at end of line 24, following the word "cancelled" add the following words: "The commission shall also require the owner or operator to first procure a surety bond, written by a company authorized to write such bond in the State of North Dakota, in an amount to be designated by the Commission, to guarantee the payment by the carrier to the shipper or its agent, of all cash (or collect) on delivery charges collected by said carrier in connection with the operation or conduct of his or its business as such common motor carrier or contract carrier."

In Line 87, Page 5, Section 32 of the printed bill, strike out the word "abates" and insert in lieu thereof the word "abets."

And when so amended recommend the same do pass.

HARRY PETERSON,
Chairman.

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

The Committee on Highways and Bridges made the following report:

Mr. President: Your Committee on Highways and Bridges to whom was referred:

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Subdivision (e) of Section 1 of Chapter 161 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles.

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

Strike out everything after "A Bill" and insert in lieu thereof the following:

For an act to amend and re-enact Subdivision (e) of Section 1 of Chapter 161, Session Laws of 1933 relating to taxation and licensing of motor vehicles, and declaring an emergency.

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

Section 1. Amendment.) That subdivision (e) of Section 1 of Chapter 161, Session Laws of 1933 be, and the same is hereby amended and re-enacted to read as follows:

Subdivision (e). Commercial Freighting Defined.) Commercial freighting shall mean the carriage of things other than passengers, for hire, except within the limits of the same city, village or town; providing that local dray lines carrying baggage or goods to or from a railroad station from or to places in said city, village or town or in the immediate vicinity thereof, in this state and not to exceed two miles from the corporate or recognized limits of said city, village or town, shall not be construed to be engaged in commercial freighting hereunder. Provided further that commercial freighting, as defined in this Act, shall not include hauling done by farmers for their neighbors in transporting agricultural products to or from market. Provided further that Commercial Freighting as defined in this act shall include any individual, copartnership, company or corporation, their lessees, trustees, receivers or trustees appointed by any court whatsoever, operating over the highways of the state in transporting goods, from one point to another for themselves or others where the price of said merchandise at its point of destination includes the cost of transportation or when a separate charge is made for said transportation. This act shall not apply to retailers engaged in delivering only gas and gas products from the bulk station directly to the farmer.

Section 2. Emergency. This act is hereby declared to be an emergency, and shall be in full force and effect from and after the date of its passage and approval.

And when so amended recommend the same do pass.

HARRY PETERSON,
Chairman.

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

The Committee on Highways and Bridges made the following report:

Mr. President: Your Committee on Highways and Bridges to whom was referred:

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Subdivision (i) of Section 1 of Chapter 188 of the Laws of 1931.

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

HARRY PETERSON,
Chairman.

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

The Committee on Highways and Bridges made the following report:

Mr. President: Your Committee on Highways and Bridges to whom was referred:

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 162 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

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

HARRY PETERSON,
Chairman.

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

The Committee on Highways and Bridges made the following report:

Mr. President: Your Committee on Highways and Bridges to whom was referred:

SENATE CONCURRENT RESOLUTION "Q"

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

HARRY PETERSON,
Chairman.

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

The Committee on Highways and Bridges made the following report:

Mr. President: Your Committee on Highways and Bridges to whom was referred:

Senate Bill No. 156. A Bill for an Act to Amend and Re-enact Sub-division (d) of Section 1 of Chapter 188 of the Session Laws of 1931, Relating to Regulations of Motor Vehicle Transportation, and Declaring an Emergency.

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

HARRY PETERSON,
Chairman.

Senator Peterson 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. 113. A Bill for an Act Amending and Re-enacting Section 1 of Chapter 267 of the 1933 Session Laws Relating to the Duty of the County Treasurer to Receive County Warrants in Payment of Certain Taxes, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

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

J. K. BROSTUEN,
Chairman.

Senator Brostuen 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. 151. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 138 of the 1933 Session Laws of the State of North Dakota Relating to Hail Tax Refund.

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

J. K. BROSTUEN,
Chairman.

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

The Committee on Irrigation and Drainage made the following report:

Mr. President: Your Committee on Irrigation and Drainage to whom was referred:

Senate Bill No. 126. A Bill for an Act Declaring All Water and/or Wildlife Conservation Projects, Including Wildlife Reservations, to Be a Public Purpose, Providing That All Lands Within the Ordinary High-water Mark of Navigable Lakes Shall Be Under the Control of the State, Under Its Police Power, for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Authority and Control Over Such Lands Shall Be Vested in the State Engineer, Defining the Term "Ordinary High-water Mark," Providing That All Meandered Lakes Shall Be Declared to Be Navigable Within the Meaning of This Act, Providing a Saving Clause, Repealing All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

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

In Section 2, Line 8, of the printed bill, strike out the word "Construction" and insert the word "constructing" in lieu thereof.

And when so amended recommend the same do pass.

F. T. GRONVOLD,
Chairman.

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

The Committee on Irrigation and Drainage made the following report:

Mr. President: Your Committee on Irrigation and Drainage to whom was referred:

Senate Bill No. 125. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Several Counties to Remove from the Tax Rolls and Declare as Exempt from Taxation All Inundated Land Upon Which the Owner Thereof Has Granted or Shall Hereafter Grant to the United States of America, Its Instrumentalities or Agencies, a Permanent Easement for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Such Inundated Lands Shall Remain Exempt Until Such Time as the Water and/or Wildlife Conservation Projects Shall Have Been Abandoned, Providing That Such Power to Remove from the Tax Rolls or Declare as Exempt Shall Not Attach Until Such Time as the Construction of the Water and/or Wildlife Conservation Projects Shall Have Been Completed, and Declaring an Emergency.

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

In Section 1, line 13, of the printed bill, strike out the word "of" and insert the word "or" in lieu thereof.

And when so amended recommend the same do pass.

F. T. GRONVOLD,
Chairman.

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

The Committee on Irrigation and Drainage made the following report:

Mr. President: Your Committee on Irrigation and Drainage to whom was referred:

Senate Bill No. 124. A Bill for an Act Declaring Water and/or Wildlife Conservation to Be a State Purpose, Providing the Governor and Board of University and School Lands with the Authority to Grant to the United States of America, or to Any of Its Instrumentalities or Agencies, Any and All Easement Rights as Shall Be Required for the Construction,

Maintenance and Operation of Water and/or Wildlife Conservation Projects to Be Constructed on the Public Lands of the State of North Dakota, Declaring That Such Water and/or Wildlife Conservation Projects Shall Be Considered as a Benefit to Said Lands and Not to Diminish the Value or Purchase Price Thereof, Repealing Any and All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

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

F. T. GRONVOLD,
Chairman.

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

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 38. A Bill for an Act to Amend and Re-enact Section 1122 of the Compiled Laws of the State of North Dakota for the Year 1913, Specifying the Qualifications for the Office of County Superintendent of Schools.

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.

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 69. A Bill for an Act Providing the Manner of Holding and Fixing the Date for Annual School Elections; Also Providing How and When Reports of Clerk and Treasurer Shall Be Made and the Date When Annual Budget and Levy Shall Be Made.

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.

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 70. A Bill for an Act to Require Non-Resident Teachers to Attend a Higher Institution of Learning Within the State for at Least Eight Weeks Before Being Eligible to Teach Within the State.

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.

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1291, Compiled Laws of 1913, Concerning Elections in Independent School Districts, Placing Control Thereof in the Hands of the Board of Education, and Providing for Special Elections in Such Districts.

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

In the title strike out the period after the word "district" and insert a comma, in lieu thereof, and add the following language, "and repealing all acts or parts of acts in conflict herewith, and declaring an emergency."

And when so amended recommend the same do pass.

A. S. MARSHALL,
Chairman.

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

Senator Erickson moved that Senate Bill No. 141 be referred to the Committee on Judiciary.

Which motion prevailed.

The Committee on Judiciary made the following report:

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

Senate Bill No. 120. A Bill for an Act to Amend and Re-enact Section 2 of That Certain Initiated Law Entitled, "An Act Declaring Mortgages on Growing and Unharvested Crops to be Against the Public Policy of This State, and Abolishing the Same." Approved and Adopted by the Electors at the June 29th, 1932, Primary Election.

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

In the title of the printed bill after the word "Election," strike out the period and insert a comma and the following words: "Repealing Chapter 150, Session Laws of 1933, and Declaring an Emergency."

In line 7, Section 1, page 1, after the words "United States" insert a comma and the words "the State."

After Section 1, page 1, insert the following words: "Section 2. REPEAL.) Whereas there is question as to the validity of Chapter 150, Session Laws of 1933, this Act covers the same subject matter, therefore said Chapter 150 is hereby repealed."

Change "Section 2. EMERGENCY.)" "to read "Section 3. EMERGENCY.)"

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

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

The Committee on Judiciary made the following report:

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

Senate Bill No. 75. A Bill for an Act to Provide for Liens in Favor of Hospitals and Other Charitable Institutions Furnishing Care, Treatment and Maintenance of Persons Injured in Accidents, not Subject to the Provisions of the Workmen's Compensation Act of North Dakota, for the Reasonable Value of the Service so Rendered, Upon the Rights of Action, Claims or Demands of Such Injured Persons, or Judgments Recovered Thereon, Against Other Persons, or Corporations, liable in Tort for Damages, on Account of Negligence Causing the Injuries, and Upon the Proceeds of the Settlements of Any Such Claims or Demands; and Upon and Against the Insurer of Such Tort Feasor or Tort Feasors; and Upon Insurance Held by the Injured Person, and Providing for Constructive Notice Upon Such Insurers, Tort Feasors and their Insurers, if any, by a Filing of a Lien Statement with the Clerk of the District Court of the County in Which Such Services Are Rendered.

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

In line 3, Section 1, page 1, of the printed bill, strike out the words "supported in whole or in part by private charities."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

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

The Committee on Judiciary made the following report:

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

Senate Bill No. 23. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession during the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act.

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

In line 80 of Section 2, page 4 of the printed bill, after the word "time," strike out the remainder of the paragraph and add the following language: "after the publication of notice for the foreclosure of such mortgage or other lien, or the cancellation of a contract, apply to the District Court of the county wherein such proceedings are being had, or are pending, by filing with the Court his affidavit, setting forth such reasons, consistent with the provisions of this Act, as the party applying for such order may have for a postponement thereof, with a prayer that the foreclosure or cancellation, if any, shall be had by action in the District Court. If it appears to the Court that granting of the relief, as prayed for in such affidavit, would be equitable and just, then and in that event the foreclosure or cancellation proceedings by advertisement or publication of notice may be postponed by the Court by ex parte order, which may be served upon the attorney or agent of the mortgagee or assignee, or vendor or assignee, or upon the party foreclosing or cancelling said contract, and the party seeking to foreclose such mortgage or other lien, or cancel such contract, shall proceed, if at all, to foreclose such mortgage or other lien, or cancel said contract, by action in the District Court of the county having jurisdiction thereof and shall tax as a part of the costs in said action the expense incurred in publishing such notice.

In line 126, Section 3, page 6, after the word "confirmation" insert a period. Strike out the small "u" in the word "upon" and insert a capital "U" in lieu thereof.

In line 141, Section 4, page 7, after the word "Court" insert the words "having jurisdiction thereof."

In line 145, Section 4, page 7, after the word "Court" insert the words "having jurisdiction thereof."

In line 148, Section 4, page 7, strike out the word "of" and insert the word "or" in lieu thereof.

In line 176, Section 6, page 8, strike out the word "April" and insert in lieu thereof the word "July."

In line 201, Section 6, page 9, following the first word "Court" insert the following words: "provided, however, that in fixing the rental value of farm lands, the rental value of any buildings thereon shall not be included or considered;"

In line 233, Section 6, page 11, strike out the word "April" and insert in lieu thereof the word "July."

In line 243, Section 8, page 11, strike out the first word "or" and insert in lieu thereof the word "of."

In line 256, Section 9, page 11, strike out the word "April" and insert in lieu thereof the word "July."

In line 260, Section 9, page 12, strike out the word "April" and insert in lieu thereof the word "July."

In line 268, Section 10, page 12, following the word "sale" insert a comma.

In line 277, Section 11, page 12, following the word "funds" strike out the period and insert a comma and the following words: "nor shall the provisions of this Act apply to notes and obligations incurred under Title I and to insured mortgages issued under Title II of the National Housing Act."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain moved that the committee report on Senate Bill No. 23 be amended as follows:

That the word "April" appearing in line 180 of Section 6, page 8 of the printed bill be stricken out and the word "July" be inserted in lieu thereof.

Which motion prevailed.

Senator Cain moved that the report as amended be adopted.

Which motion prevailed.

The Committee on Banks and Banking made the following report:

Mr. President: Your Committee on Banks and Banking to whom was referred:

Senate Bill No. 132. A Bill for an Act Defining Banking Institutions Within the Meaning of This Act; Authorizing Such Banking Institutions to Enter Into Such Contracts, Incur Such Obligations and Generally to do Such Acts as May Be Appropriate or Necessary to Take Advantage of Any and all Memberships, Loans, Subscriptions, Contracts,

Grants, Rights or Privileges, Including the Right to Receive and Hold United States Postal Savings Deposits, Which May, at any Time, Be Available or Enure to Said Banking Institutions or Their Depositors, Stockholders, Conservators, Liquidators or Receivers, Under or by Virtue of Any Act, Regulation or Resolution of the Congress of the United States or Any Department, Board, Agency or Officer Thereof; to Aid, Regulate, Foster, Promote or Safeguard Banking Institutions and Depositors, Including the Act Creating the Federal Deposit Insurance Corporation and Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which Said Banking Institutions, Their Stockholders, Depositors, Conservators, Liquidators or Receivers May Take Advantage of, Comply With and Act Upon the Rights and Privileges Hereby Granted to Them, and Declaring an Emergency.

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

C. W. FINE,
Chairman.

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

The Committee on Banks and Banking made the following report:

Mr. President: Your Committee on Banks and Banking to whom was referred:

Senate Bill No. 133. A Bill for an Act Authorizing Banking Institutions to Issue and Sell Capital Notes or Debentures and Preferred Stock; Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which the Same May Be Issued and Sold, and Declaring an Emergency.

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

C. W. FINE,
Chairman.

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

The Committee on Banks and Banking made the following report:

Mr. President: Your Committee on Banks and Banking to whom was referred:

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931, Relating to Capital Stock of Banks.

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

C. W. FINE,
Chairman.

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

The Committee on Banks and Banking made the following report:

Mr. President: Your Committee on Banks and Banking to whom was referred:

Senate Bill No. 54. A Bill for an Act Exempting Certain Banks Designated as Public Depositories from Furnishing Bonds Under Certain Conditions and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

C. W. FINE,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 52. A Bill for an Act Creating a Federated, Legislative, Co-operative Agricultural Association by Co-operation with Other Surplus Producing States of the Union, Describing the Manner of Forming the Same, the Purposes Thereof; Making an Appropriation Therefor, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass, as Amended by the Committee on Agriculture.

L. O. FREDRICKSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 139. A Bill for an Act Making an Appropriation to Meet a Deficiency in the Appropriations Made to the Board of Pardons for the Biennium period expiring June 30, 1935, and Declaring an Emergency.

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

L. O. FREDRICKSON,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 131. A Bill for an Act to Amend and Re-enact Section 1, Chapter 159, Session Laws for 1931, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, Defining Imitation Ice Cream.

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 137. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 89 of the Session Laws of the State of North Dakota for the Year 1933, Relating to Prohibition Against Corporation Farming, and Declaring an Emergency.

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "M"

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 975 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Publication of Nominations for Office and Fixing Duty of County Auditor With Reference Thereto and Providing for the Number of Pub-

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

SENATE RESOLUTION "B"

Requiring all members of the Senate of the State of North Dakota who are at present on retainers by public service corporations doing business in the State of North Dakota, to file with the Secretary of the Senate a list of the corporations they are thus serving.

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

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion was lost.

Senator Fowler moved that Senate Resolution "B" be referred to the Committee on State Affairs.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 11. A Bill for an Act to Prohibit the Governor, the Executive Head, the Manager or any Member or Members of any State Board, Bureau, Commission, Industry, Department or Institution, or any Person Employed Either Directly or Indirectly by the State, from Appointing a Member of the Legislative Assembly to any Civil Office or Other Employment of Whatsoever Nature During the Term for Which Such Legislative Member Shall Have Been Elected,

and Prohibiting a Member of the Legislative Assembly from Accepting Such Appointment, Providing Penalty Therefor and Declaring an Emergency.

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

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted.

Senator Matthaei moved as a substitute motion that Senate Bill No. 11 be recommended for passage.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 118. A Bill for an Act to License Persons, Firms and Corporations Engaged in the Sale and Distribution of Drugs, Herbs and Pharmaceutical Preparations Through Peddlers, and for the Licensing of Peddlers and Representatives of Such Persons, Firms or Corporations, Providing a Penalty for the Violation of the Provisions Hereof and Declaring an Emergency.

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 150. A Bill for an Act Empowering the State Historical Society to Acquire Lands for State Parks, State Monuments, and State Recreation Reserves, to Supervise, Control and Maintain Such State Parks, State Monuments, and State Recreation Reserves, Providing for the Appointment of a State Parks Committee, and Making an Appropriation Therefor.

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

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, and that Senate Bill No. 150 be re-referred to the Committee on Appropriations.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 149. A Bill for an Act to Create a State Planning Board, Prescribing the Powers and Duties Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

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

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, and that Senate Bill No. 149 be re-referred to Committee on Appropriations.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 70. A Bill for an Act Making an Appropriation to Pay the Deficit in the Printing Fund of the Department of Insurance of the State of North Dakota.

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

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted and that House Bill No. 70 be re-referred to the Committee on Appropriations.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

SENATE RESOLUTION "R"

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 96. A Bill for an Act to Make It Lawful to Make Devises, Bequests, Legacies and Gifts to Any State Educational, Charitable, or Penal Institution; Providing that Title Thereto Shall Be Held by the State in Trust, and Regulating the Use of Such Property and Its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made, and Declaring an Emergency.

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 160. A Bill for an Act to Amend and Re-enact Chapter 272 of the Session Laws of 1931, Authorizing the Board of Administration, with the Approval and Consent of the Governor, to Transfer the License of the Radio Station Located at the State University of North Dakota at Grand Forks, North Dakota.

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

In Section 1, line 4, following the word "parties," strike out the period and insert in lieu thereof a comma and add the following words "to be operated at Grand Forks, North Dakota."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 128. A Bill for an Act to Promote the Objects of the Act of Congress of the United States Entitled,

"National Housing Act," approved June 27, 1934, and Acts Amendatory Thereof or Supplemental Thereto, by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, and Insurance Companies, to Make Loans Pursuant to Title I and II of the National Housing Act, and by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Subdivisions, and Institutions and Agencies Thereof, and All Other Persons, Associations and Corporations, Subject to the Laws of This State, to Invest in Mortgages Insured, and in Debentures Issued, by the Federal Housing Administrator, and to Invest in Securities of National Mortgage Associations or Similar National Mortgage Credit Institutions Now or Hereafter Organized Under Title III of the National Housing Act, and by Excepting Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Subdivisions, and Institutions and Agencies Thereof, and All Other Persons, and Associations, Subject to the Laws of This State from the Application of Laws of This State Requiring Security Upon Which Loans or Investments May Be Made, or Limiting Making of Loans to Shareholders or Members of the Lender, or Prescribing the Nature, Amount or Form of Such Security, or Limiting or Prescribing the Interest Rates Upon Loans or Investments, or the Period for Which Loans or Investments May Be Made, Provided Such Loans, Securities or Investments Are Insured by the Federal Housing Administrator, and Providing for Invalidity, and Declaring an Emergency to Exist.

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

A. F. BONZER, Jr.,
Chairman.

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

A majority of the Committee on Judiciary made the following report:

Mr. President: A majority of your Committee on Judiciary to whom was referred:

Senate Bill No. 46. A Bill for an Act Relating to the Foreclosure of Real Estate Mortgages and Land Contracts, Providing What the Judgment and Decree Shall Contain, and Prohibiting Any Deficiency Judgments.

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

In line 1, Section 2, page 2, of the printed bill, strike out

the word "redemption" and insert in lieu thereof the word "rendition."

And when so amended recommend the same do pass.

MELVIN P. JOHNSON,
W. E. MATTHAEI,
C. W. FINE,
E. E. GREENE,
WM. A. THATCHER,
MILTON R. YOUNG,
O. E. ERICKSON,
S. S. McDONALD.

A minority of the Committee on Judiciary made the following report:

Mr. President: A minority of your Committee on Judiciary to whom was referred:

Senate Bill No. 46. A Bill for an Act Relating to the Foreclosure of Real Estate Mortgages and Land Contracts, Providing What the Judgment and Decree Shall Contain, and Prohibiting Any Deficiency Judgments.

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

A. W. FOWLER,
T. E. WHELAN,
F. T. GRONVOLD,
GEORGE V. COFFEY,
HARRY C. LYNN.

J. P. CAIN,
Chairman.

Senator Fine moved that the report of the majority be adopted.

Senator Cain moved as a substitute motion that the word "minority" be substituted for the word "majority."

Which motion was lost.

The question being on the adoption of the majority report, the motion prevailed and the majority report was adopted.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 9, 1935.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendments to:

House Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws of North Dakota of

the Year 1929, Relating to the Custodian of the State Capitol and Grounds and Describing his Powers, Duties and Compensation; and Appointing Such Custodian.

Also,

House Bill No. 78. A Bill for an Act to Amend and Re-enact Section 7375, Compiled Laws of North Dakota for the Year 1913, Enumerating the Kinds of Actions Which Must Be Commenced Within Six Years After the Cause of Action Accrues.

Also,

HOUSE CONCURRENT RESOLUTION A-7

House of Representatives,
Bismarck, North Dakota,
February 11, 1935.

Mr. President: I have the honor to inform you that the House has adopted the conference committee report on Senate Bill No. 66.

House of Representatives,
Bismarck, North Dakota,
February 11, 1935.

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

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 6077 of the 1913 Compiled Laws of the State of North Dakota Relating to the Rate of Interest on Judgments.

Also,

House Bill No. 140. A Bill for an Act Providing for the Regulation of Aeronautics Within this State; Providing for Uniformity with Federal Laws Regulating Aeronautics; Creating a State Aeronautics Commission; Providing the Powers and Duties of Such Commission; Providing for the Promulgation and Issuance of Rules and Regulations by Such Commission.

Also,

House Bill No. 5. A Bill for an Act to Amend and Re-enact Section 2 and to Repeal Sections 3 and 4, Chapter 138, Session Laws of North Dakota for the Year 1929.

Also,

House Bill No. 7. A Bill For an Act to Provide for the Weighing, Grading, Feeding, Docking and Watering of Live-stock at Packing Plants, Slaughtering Houses and Concentration Points.

Also,

House Bill No. 93. A Bill for an Act to Amend and Re-enact Section 6756 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Form of Chattel Mortgages.

Also,

House Bill No. 133. A Bill for an Act Authorizing Judges of the District Court to Request the Attorney General to Perform Certain Duties Relating to Criminal Matters, Providing for Payment of Expenses in Connection Therewith, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 126. A Bill for an Act to Amend and Re-enact Section 7730 of the Compiled Laws of North Dakota for 1913, Defining Absolute Exemptions.

Also,

House Bill No. 3. A Bill for an Act to Amend and Re-enact Section 6072 of the Supplement to the 1913 Compiled Laws of North Dakota.

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

Also transmit:

House Bill No. 78. A Bill for an Act to Amend and Re-enact Section 7375, Compiled Laws of North Dakota for the Year 1913, Enumerating the Kinds of Actions Which Must Be Commenced Within Six Years After the Cause of Action Accrues.

Also,

House Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws of North Dakota of the Year 1929, Relating to the Custodian of the State Capitol and Grounds and Describing his Powers, Duties and Compensation; and Appointing Such Custodian.

Also,

House Bill No. 46. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 98, Session Laws of 1933, Relating to Expenditures of Poor Relief Purposes Where the Regular Appropriation is Insufficient and Where There Is Not a Sufficient Unexpended Balance in Any Funds to Meet an Emergency Created by Unusual and Unanticipated Demands for the Relief of the Poor, and Declaring an Emergency.

Also,

HOUSE CONCURRENT RESOLUTION A-7

Which the Speaker has signed and your signature is respectfully requested.

Also return:

SENATE CONCURRENT RESOLUTION G

Also,

SENATE CONCURRENT RESOLUTION I

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

A majority of the Committee on Judiciary made the following report:

Mr. President: A majority of your Committee on Judiciary to whom was referred:

Senate Bill No. 129. A Bill for an Act Providing for the Exemption of the Homestead as Defined by Law from Forced Sale for Payment of Debts, with Certain Exceptions and Prohibiting the Mortgaging or Incumbering of the Homestead, with Certain Exceptions.

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

A. W. FOWLER,
T. E. WHELAN,
F. T. GRONVOLD,
GEORGE V. COFFEY,
MILTON R. YOUNG,
HARRY C. LYNN,
O. E. ERICKSON,

J. P. CAIN, Chairman.

A minority of the Committee on Judiciary made the following report:

Mr. President: A minority of your Committee on Judiciary to whom was referred:

Senate Bill No. 129. A Bill for an Act Providing for the Exemption of the Homestead as Defined by Law from Forced Sale for Payment of Debts, with Certain Exceptions and Prohibiting the Mortgaging or Incumbering of the Homestead, with Certain Exceptions.

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

W. E. MATTHAEI,
E. E. GREENE,
C. W. FINE,
WM. A. THATCHER,
MELVIN P. JOHNSON,
S. S. McDONALD.

Senator Cain moved that the report of the majority be adopted.

Senator Miklethun moved as a substitute motion that the word "minority" be substituted for the word "majority," which motion prevailed, and the bill was recommended for passage.

A majority of the Committee on Judiciary made the following report:

Mr. President: A majority of your Committee on Judiciary to whom was referred:

Senate Bill No. 67. A Bill for an Act to Provide for the Removal of Buildings, Windmills, or Other Improvements of a Temporary or Permanent Character, Except Fences, Which Are Placed Upon Lands After the Said Lands Have Been Encumbered, and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

W. E. MATTHAEI,
C. W. FINE,
E. E. GREENE,
WM. A. THATCHER,
O. E. ERICKSON,
MELVIN JOHNSON,
S. S. McDONALD.

A Minority of the Committee on Judiciary made the following report:

Mr. President: A Minority of your Committee on Judiciary to whom was referred:

Senate Bill No. 67. A Bill for an Act to Provide for the Removal of Buildings, Windmills, or Other Improvements of a Temporary or Permanent Character, Except Fences, Which Are Placed Upon Lands After the Said Lands Have Been Encumbered, and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

T. E. WHELAN,
A. W. FOWLER,
F. T. GRONVOLD,
GEORGE V. COFFEY,
HARRY C. LYNN,
MILTON R. YOUNG.

J. P. CAIN,
Chairman.

Senator Fine moved that the report of the majority be adopted, which motion prevailed and the Bill was recommended for passage.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 80. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 199 of Session Laws of 1933, Transferring Certain Duties From the Regulatory Department of the State of North Dakota, to the Office of the State Dairy Commissioner, and Providing for the Payment of Expenses Incident to the Carrying Out of Such Duties, and Declaring an Emergency.

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

On Page 1 of the printed bill, strike out everything after the words "A Bill" and insert the following:

"For an act to amend and re-enact Section 10 of Chapter 199, Session Laws of 1933 relating to additional duties of the North Dakota Regulatory Department with reference to investigations and inspections for the State Auditor, and declaring an emergency.

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

Section 1. AMENDMENT.) That Section 10 of Chapter 199 Session Laws of 1933 is hereby amended and re-enacted to read as follows:

Section 10. It shall be the duty of the Regulatory Department, at the request made therefor by the State Auditor to the Director of the Regulatory Department, and in the manner prescribed by the Director to make such investigations and inspections as fall within the purview of the duties of the State Auditor.

Section 2. All acts or parts of acts in conflict herewith are hereby repealed.

Section 3. EMERGENCY.) An emergency is hereby declared to exist, and this act shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 159. A Bill for an Act to Provide for Reciprocal Fire Underwriters' Licenses.

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

SENATE RESOLUTION "A"

A Resolution to appoint the official photographer for the Senate of the Twenty-fourth Legislative Assembly of the State of North Dakota.

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

A. F. BONZER, Jr.,
Chairman.

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

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

SENATE RESOLUTION "D"

A Resolution to appoint the official photographer for the Senate of the Twenty-fourth Legislative Assembly of the State of North Dakota.

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

A. F. BONZER, Jr.,
Chairman.

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

Senator Thorson moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

THIRTY-FIFTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 11, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. H. G. Bens.

Roll call: All Senators were present except Senators Erickson, Johnson and Kolpin.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 11, 1935.

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

House Bill No. 45. A Bill for an Act Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents, and Employees, Exempting the Governor, of the State of North Dakota, or of any of its Sub-divisions, While Upon Public Expense Account; Providing a Penalty for Violation Thereof, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-second day and recommend that the same be corrected as follows:

On page five, line 35, after the word "ground" insert the word "floor."

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A resolution presented by Senator Erickson, signed, John J. Dahl, Chairman of the Board of County Commissioners of Walsh County, asking that no further extension of time be granted for Counties to take Tax Deeds.

A petition presented by Senator Owings, signed, Ben Lyndahl, and forty-seven other taxpayers of Divide County, condemning any tax on lignite coal.

A resolution from the same source also condemning any lignite tax.

A resolution presented by Senator Lind, signed, A. W. Christianson, President of the Parent-Teachers Association of Trenton, N. Dak., asking for legislation giving the State a Gross Income Tax Law.

A resolution presented by Senator Johnson, signed, Betania Ladies' Aid, and Emanuel Ladies' Aid, asking that no hard liquor law be passed.

Referred to the Committee on Taxes and Tax Laws.

A resolution presented by Senator Crandall, signed, A. C. Bjerken, North Dakota Cooperative Wool Marketing Association's secretary, asking that some legislation be passed regarding a dog tax and wolf bounty.

A resolution presented by Senator Fredrickson, signed, A. C. Bjerken, regarding the Dog Tax and Coyote Bounty.

A resolution presented by Senator Brostuen, signed, Roy N. Johnson, of Farmers Union Local No. 639, asking that livestock kept for breeding be considered tax exempt, and that the tax system be based upon a graduated income basis.

Referred to the Committee on Livestock.

A resolution presented by Senator Marshall, signed, Dickey County United Farmers League, suggesting various legislation.

A like resolution presented by Senator Brostuen, signed, Anton Novak, of Farmers Union Local No. 638.

Referred to the Committee on Ways and Means.

A resolution was received from the Non-Partisan Executive Committee of Billings County in support of Senate Bill No. 96.

Which was referred to the Committee on Insurance.

A resolution presented by Senator Lowe, signed, Albert Mork and three other members of the Des Lacs Local No. 610, asking that legislation be passed establishing a correspondence high school course incorporating the National Study topic of the Farmers Union.

A resolution presented by Senator Brostuen, signed, Edward Safely, of Farmers Union Local No. 638, asking that a correspondence high school course be provided for.

A resolution presented by Senator Young, signed, J. J. Johnson of the LaMoure County Farmers Union, asking for a correspondence course in high school subjects.

A resolution presented by Senator Crandall, signed, A. L. Culm, and two others of Farmers Union Local No. 1118, asking that a correspondence course in high school subjects be arranged for.

A petition presented by Senator Young, signed, Arthur A. Rey, and sixty-three other voters, asking support of House Bills No. 80, No. 81 and No. 85.

A resolution presented by Senator Crandall, signed, Fred A. Musel, chairman of the Farmers Union Legislative Committee, of Ransom county, asking that the State Teachers College at Valley City be maintained.

A petition was presented by Senator Thorson, signed Geo. Schwartz, President of Local No. 1082 favoring correspondence courses in high school subjects.

Referred to the Committee on Education.

Communications presented by Senator Vinje from W. C. T. U. of Hatton, North Dakota, and Mayville, North Dakota, protesting against legalizing the sale of hard liquor.

A petition was presented by Senator Marshall, signed Gladys Barton and 19 other citizens of Glover, North Dakota, protesting liquor legislation.

A resolution presented by Senator Mutchler, signed E. L. Renke, and one hundred four others, asking the defeat of any hard liquor law.

A petition presented by Senator Johnson, signed, Mrs. Rev. V. L. Peterson and seventeen others, asking that hard liquor be not legalized in the state.

A resolution presented by Senator Marshall, signed, James M. Hobson, Secretary of the International Narcotic Education Association, asking adoption of the Uniform State Narcotic Drug Act.

Referred to the Committee on Temperance.

A resolution presented by Senator Marshall, signed, A. F. Mischel, Chairman, and two other members of the Board of County Commissioners of Stark County, asking support of an Old Age Pension Plan.

A petition presented by Senator Johnson, signed, J. H. Busching and nineteen others condemning House Bill No. 105.

Referred to the Committee on State Affairs.

A petition presented by Senator Thatcher, signed, A. M. Collins and thirty-three others asking that an appropriation be made to care for the needs of the State School of Forestry.

Referred to the Committee on Appropriations.

REPORT OF STANDING COMMITTEES

The Committee on Cities and Municipal Corporations made the following report:

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

Senate Bill No. 98. A Bill for an Act to Amend and Re-enact Subsection (3) of Section 1, Chapter 196, Session Laws of North Dakota for the Year 1927.

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

In the second line of the title strike out the "period" and insert in lieu thereof a "comma" and the words "declaring an emergency."

And when so amended recommend the same do pass.

G. A. JONES,
Chairman.

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

The Committee on Cities and Municipal Corporations made the following report:

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

Senate Bill No. 114. A Bill for an Act Relating to Funding and Refunding Existing Indebtedness of Municipalities and Declaring an Emergency.

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

On page 4 in line 24 strike out the word "three" and insert in lieu thereof the word "five."

On page 4 in line 25 strike out the word "twenty" and insert in lieu thereof the word "twenty-five."

On page 6 in line 8 strike out the period and insert in lieu thereof a comma and add the words "and not to exceed in any case six (6) per cent per annum."

On page 7 in line 13 strike out the word "three" and insert in lieu thereof the word "five."

On page 8 in line 31 after the word "may" insert the words "in its discretion."

On page 8 in line 34 after the word "indebtedness" add the words "and or warrants."

And when so amended recommend the same do pass.

G. A. JONES,
Chairman.

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

The Committee on Cities and Municipal Corporations made the following report:

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

Senate Bill No. 25. A Bill for an Act to Amend and Re-enact Chapter 178 of the Laws of North Dakota for 1933, and to Authorize and Empower Municipalities as Defined in Chapter 196 of the Laws of North Dakota for 1927, to Issue Bonds for the Purpose of Funding Outstanding Indebtedness Thereof Incurred Prior to January 1, 1935, in Certain Cases.

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

G. A. JONES,
Chairman.

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

The Committee on Cities and Municipal Corporations made the following report:

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

Senate Bill No. 97. A Bill for an Act Relating to Re-funding Special Improvement Warrants, Repealing Inconsistent Acts and Declaring an Emergency.

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

In the second line of the title, after the word "repealing" add "Chapter 195 of the Session Laws of North Dakota for 1927, as amended and re-enacted by Chapter 178 of the Session Laws of North Dakota for 1929 and all other acts in conflict herewith" and strike out the words "inconsistent acts."

In Sec. 5 in line 3, strike out the word "inconsistent" and insert in lieu thereof the words "in conflict."

And when so amended recommend the same do pass.

G. A. JONES,
Chairman.

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

REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 66 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 66. A Bill for an Act to Provide for the Creation of a North Dakota Tax Survey Commission, Defining its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Have had the same under consideration and recommend that the Senate do concur in the House Amendments.

For the Senate:

J. K. BROSTUEN,
HARRY PETERSON,
A. A. TROVATTEN,

For the House:

NELS P. NOBEN,
KARL H. BRUNSDALE,
ALBERT BJERKE.

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

Senator Brostuen moved that the rules be suspended and that Senate Bill No. 66, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 11, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 66.

Very respectfully,

F. E. TUNELL,
Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 66. A Bill for an Act to Provide for the Creation of a North Dakota Tax Survey Commission, Defining its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks
Brostuen	Jones	Owings
Cain	Kamrath	Peterson

Messrs.	Messrs.	Messrs.
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold		

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Erickson moved that a committee be appointed to act with a like committee from the House to prepare a Memorial program for February 22nd.

Which motion prevailed.

Senator McDonald moved that the time for introduction of bills other than appropriation bills be extended to the fortieth day.

Which motion prevailed.

Senator Young moved that all absent Senators be excused.

Which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 45. A Bill for an Act Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents, and Employees, Exempting the Governor, of the State of North Dakota, or of any of its Sub-divisions, While Upon Public Expense Account; Providing a Penalty for Violation Thereof, and Declaring an Emergency.

Also,

House Bill No. 78. A Bill for an Act to Amend and Re-enact Section 7375, Compiled Laws of North Dakota for the Year 1913, Enumerating the Kinds of Actions Which Must Be Commenced Within Six Years After the Cause of Action Accrues.

Also,

House Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws of North Dakota of the Year 1929, Relating to the Custodian of the State Capitol

and Grounds and Describing his Powers, Duties and Compensation; and Appointing Such Custodian.

Also,

House Bill No. 46. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 98, Session Laws of 1933, Relating to Expenditures of Poor Relief Purposes Where the Regular Appropriation is Insufficient and Where There Is Not a Sufficient Unexpended Balance in Any Funds to Meet an Emergency Created by Unusual and Unanticipated Demands for the Relief of the Poor, and Declaring an Emergency.

Also,

HOUSE CONCURRENT RESOLUTION A-7

Also,

Senate Bill No. 36. A Bill for an Act to Repeal Sub-sections C and E of Section 1 of Chapter 185, Laws of 1933, and to Amend and Re-enact Section 2 of Chapter 205, Laws of 1931, Relating to the Board of State Capitol Commissioners, and Declaring an Emergency.

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

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Fredrickson moved that the Senate do not concur in the House amendment to Senate Bill No. 5, and that a Conference Committee be appointed.

Which motion prevailed.

The President announced the appointment of Senators Fredrickson, Dubay and Eastgate as the Senate Conference Committee on Senate Bill No. 5.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 11, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendments to Senate Bill No. 5, and the President has appointed as a Conference Committee Senators Fredrickson, Dubay and Eastgate.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 11, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws of North Dakota of the Year 1929, Relating to the Custodian of the State Capitol and Grounds and Describing his Powers, Duties and Compensation; and Appointing Such Custodian.

Also,

House Bill No. 45. A Bill for an Act Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents, and Employees, Exempting the Governor, of the State of North Dakota, or of any of its Sub-divisions, While Upon Public Expense Account; Providing a Penalty for Violation Thereof, and Declaring an Emergency.

Also,

House Bill No. 46. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 98, Session Laws of 1933, Relating to Expenditures of Poor Relief Purposes Where the Regular Appropriation is Insufficient and Where There Is Not a Sufficient Unexpended Balance in Any Funds to Meet an Emergency Created by Unusual and Unanticipated Demands for the Relief of the Poor, and Declaring an Emergency.

Also,

House Bill No. 78. A Bill for an Act to Amend and Re-enact Section 7375, Compiled Laws of North Dakota for the Year 1913, Enumerating the Kinds of Actions Which Must Be Commenced Within Six Years After the Cause of Action Accrues.

Also,

HOUSE CONCURRENT RESOLUTION "A-2"

Also,

HOUSE CONCURRENT RESOLUTION "A-7"

Which the President has signed.

Also transmit:

Senate Bill No. 36. A Bill for an Act to Repeal Sub-sections C and E of Section 1 of Chapter 185, Laws of 1933, and to Amend and Re-enact Section 2 of Chapter 205, Laws of 1931, Relating to the Board of State Capitol Commissioners, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

FIRST READING OF SENATE BILLS

Senator Erickson introduced:

Senate Bill No. 162. A Bill for an Act to Provide an Additional Method for Issuance of Professional Teachers Certificates.

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

Committee on Appropriations introduced:

Senate Bill No. 163. A Bill for an Act Making an Appropriation to the University of North Dakota to Meet a Deficiency in the Appropriation for the Biennium Expiring June 30, 1935, for the Public Health Laboratories; and Declaring an Emergency.

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

Senators Thorson and Marshall introduced:

Senate Bill No. 164. A Bill for an Act to Amend and Re-enact Section 4 (a) of Chapter 166 of the Session Laws of North Dakota for the Year 1929, and to Amend and Re-enact Section 6 of Chapter 189 of the Session Laws of North Dakota for the Year 1931, Being 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; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; 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.

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

Senator Lowe introduced:

Senate Bill No. 165. A Bill for an Act to Amend and Re-enact Section 3262 of the Compiled Laws of North Dakota for 1913, Relating to Re-districting Counties Into Commissioner Districts, Petition of Voters and Election Therefor, Question—How Submitted to Voters, and Repealing All Acts in Conflict Therewith.

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

Senator Whelan introduced:

Senate Bill No. 166. A Bill for an Act to Repeal Chapter 246 of the Session Laws of 1931 Authorizing the Establishment and Maintenance in Certain High Schools of This State of a Department of Junior College Work and Providing for the Supervision Thereof.

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

Senator Whelan introduced:

Senate Bill No. 167. A Bill for an Act to Reduce the Tax Burden on Property by Applying Moneys Received by County Treasurers for the Use of the County or the School Districts Therein From or Through the State Treasurer of the State of North Dakota or Any Other Source Other Than the Direct Payment of the Taxes as Spread on the Current or Prior Tax Rolls; and Moneys Accumulated Through Unexpended Balances; to the Reduction of the Tax Burden on Property.

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

Senators Miklethun, Fine, and Greene of Stutsman introduced:

Senate Bill No. 168. A Bill for an Act Providing for the Deduction From the Assessed Valuation of All Real Property the Balance Due Upon All Bona Fide Mortgages of Record; Providing for the Taxation Upon True Equity of Owner of Real Property.

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

Senator Watt introduced:

Senate Bill No. 169. A Bill for an Act Authorizing the Board of Administration to Establish and Operate a Public Restaurant and Lunch Room in the State Capitol, Defining Its Powers and Duties in Relation Thereto, and Prohibiting Any Person, Firm or Corporation From Operating Any Restaurant or Lunch Room in the State Capitol After July 1, 1935.

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

Senators Miklethun, Fine and Wog introduced:

Senate Bill No. 170. A Bill for an Act to Provide for the Establishment of Eligible Lists From Which Employees Shall Be Appointed for the State Highway Department, State Regulatory Department and State Game and Fish Department, Providing Certain Rules Governing the Officials and Employees in the Administration of the Act, Providing for Filing Charges and Hearing and Determination Thereon, Appointment of Committees to Hear Charges, Prohibiting Contributions for Political Purposes, Providing Penalties for Violations of the Act, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

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

Senator McDonald introduced:

Senate Bill No. 171. A Bill for an Act to Provide for a State Board of Insurance Agents; Providing for the Appointment of Members Thereof Together With Per Diem and Mileage for Their Services; Providing for Annual and Special Meetings; Biennial Reports to the Governor; Giving Authority to Issue Certificates to Insurance Agents; Providing for the Collection of Fees; the Imposing of a Penalty for a Failure to Comply With This Act; Giving Authority to Make Rules and Regulations, and Repealing All Acts in Conflict Herewith.

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

Senator Lynn introduced:

Senate Bill No. 172. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

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

Senator Thorson introduced:

Senate Bill No. 173. A Bill for an Act to Amend and Re-enact Section 1218 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Funds of School District, the District Treasurer's Account, Annual Settlements, Annual Report, Receipts and Expenditures, and Repealing All Acts in Conflict Therewith.

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

Senator Johnson introduced:

Senate Bill No. 174. A Bill for an Act Providing for Uniform Title to Papers and Proceedings in Probate Court Practice, and for Form of Citation.

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

Committee on Taxes and Tax Laws introduced:

Senate Bill No. 175. A Bill for an Act Providing for a System of Municipal Control of the Purchase, Sale, Importation, Transportation, Handling, Possessing, Dispensing and Use of Alcohol and Alcoholic Beverages by Any Incorporated City of the State Having a Population of Two Hundred or More; the Levy and Collection of a Tax Thereon; the Duties of the State Treasurer; Providing for Injunctions Against and Abatement of Liquor Nuisances; the Continuing in Force of the Present Statutory Regulations Prohibiting the Manufacture, Sale and Possession of Intoxicating Liquors; Providing Penalties for Violations of the Provisions of This Act; and Declaring an Emergency.

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

Committee on Taxes and Tax Laws introduced:

Senate Bill No. 176. A Bill for an Act to Provide a System of State Control of the Purchase, Sale, Importation, Exportation, Transportation, Handling, Possessing, Dispensing, and Use of Alcohol and Alcoholic Beverages; to Create a Liquor Control Commission, and to Provide for the Sale of Alcohol and Alcoholic Beverages by Such Commission, to Provide for the Borrowing of Money From the Bank of North Dakota to Finance the Operation of the Commission; to Provide Penalties for Violations of the Provisions of This Act; to Continue in Force the Present Statutory Regulations Prohibiting the Manufacture, Sale, and Possession of Intoxicating Liquors, Except Insofar as the Same Are Inconsistent with the Provisions of This Act; and Declaring an Emergency.

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

Senator Bonzer introduced:

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Subdivision (c) of Section 25 of Chapter 186, Session Laws of 1931, as Amended by Chapter 160 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles and Declaring an Emergency.

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

Senator Nelson of Grand Forks (by request) introduced:

Senate Bill No. 178. A Bill for an Act Entitled "An Act to Provide for a Means of Removal of Elective City Officers by the Will of the People."

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

Senator Nelson of Grand Forks (by request) introduced:

Senate Bill No. 179. A Bill for an Act Entitled: "An Act to Amend and Re-enact Section 5 of the Session Laws of 1913, Relating to Cities Under Commission Form of Government, and Declaring an Emergency.

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

Senators Fine and Stucke introduced:

Senate Bill No. 180. A Bill for an Act to Amend and Re-enact Section 860 of the Compiled Laws of North Dakota of the Year 1913, and Declaring an Emergency.

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

Senators Fine and Greene of Stutsman introduced:

Senate Bill No. 181. A Bill for an Act to Regulate the Employment of Teachers in the Public Schools of the Classified First, Second, and the Third Class High Schools; of the First, Second, and Third Class Graded and Consolidated Schools; and in State Institutions of Higher Learning, and Fixing the Conditions Under Which They May Hold Their Positions, or May Be Discharged.

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

Senator Fowler introduced:

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 309, Session Laws of 1931, Relating to Veterans' Guardianship.

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

Senator Cain introduced:

Senate Bill No. 183. A Bill for an Act Authorizing and Empowering the Governing Board of Any Political Sub-division to Compromise and Settle Obligations Other Than Taxes Due and Owing to or Held by Such Political Sub-division, and Declaring an Emergency.

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

Senators Fowler, Jones, McGillic and Nelson of Grand Forks introduced:

Senate Bill No. 184. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys and Girls Club Work at State and District Fairs.

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

Senator Cain introduced:

Senate Bill No. 185. A Bill for an Act Defining the Jurisdiction of Police Magistrates and City Justices of the Peace in Criminal Actions in Cities of Five Thousand Inhabitants or More in Counties Wherein the County Court Does Not Have Increased Jurisdiction; Qualifications of Said Police Magistrates and City Justices of the Peace; Procedure in Said Police Magistrates Courts and Courts of Said City Justices of the Peace; Limitations of Jurisdiction of Justices of the Peace in Said Cities; and Repealing All Acts and Parts of Acts in Conflict Therewith.

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

Senator Brostuen introduced:

Senate Bill No. 186. A Bill for an Act Transferring \$78,293.94 From Certain Fund in Office of State Treasurer,

Derived From the United States, to the State Equalization Fund, Appropriating the Same for School Purposes, and Providing That Funds Derived in the Future From Same Source Shall Be Placed in the State Equalization Fund and Used for School Purposes, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

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

Senators Brostuen and Matthaai introduced:

Senate Bill No. 187. A Bill for an Act Imposing a Tax on Natural Gas, Providing Methods for Enforcing the Collection Thereof, and Making Pipe Line Companies Public Utilities.

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

Senators Lynn and Matthaai introduced:

Senate Bill No. 188. A Bill for an Act Creating a North Dakota Game and Fish Department Under the Control and Supervision of the Game and Fish Commission of North Dakota, Defining the Powers and Duties of the Commission, Transferring to the Commission Certain Powers and Duties and Repealing Chapter 130 of the 1929 Session Laws, Chapter 120 of the 1933 Session Laws and All Other Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Game and Fish.

Committee on Taxes and Tax Laws introduced:

Senate Bill No. 189. A Bill for an Act Providing for the Better Collection of Taxes and Better Enforcement of Laws Relating to the Imposition and Collection of Taxes Now or Hereafter Imposed Upon Cigarettes, Snuff, Cigarette Papers, Beer and or Any Other Article or Product Now or Hereafter Taxed by a Stamp or Other Special Tax by the State of North Dakota.

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

Senators Crandall and Watt introduced:

Senate Bill No. 190. A Bill for An Act Making an Appropriation of Funds Accumulated Through the Administration of the Provision of Chapter 244 of the Session Laws of 1923, for the Purpose of Financing Additional Repairs and Maintenance to the North Dakota Old Soldiers' Home at Lisbon, North Dakota.

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

Senator Whelan introduced:

Senate Bill No. 191. A Bill for an Act Directing and Requiring That All Monies Collected for Any License or

Other Assessment or Tax or by Any Other Authority, and All Fees Received or Charged by Any Official or Person in the Employ of the State or Any Board, Bureau, Commission or Department of the State, or of Any County, City or Other Political Subdivision of the State Shall Be Paid Over, Respectively, to the State Treasurer, County Treasurer, City Treasurer or the Treasurer of Such Other Political Subdivision of This State and Credited to the General Fund, and Shall Be Expended Only Upon and Pursuant to Appropriation by the Proper Officials in the Same Manner That Monies Derived from Property Taxes Are Appropriated and Expended.

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

Senators Stucke and Thatcher introduced:

Senate Bill No. 192. A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; Providing for the Printing of All Matters Coming Under Class 5 of State Printing; Providing for Each State Department of Office to Designate Newspaper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost Thereof and Repeal all Acts and Parts of Acts in Conflict Herewith.

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

Senator Stucke (by request) introduced:

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Section 13 of Chapter 235, Session Laws of 1929, Relating to Authorization of Excess Tax Levies.

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

Senator Etfestad introduced:

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Section 1162 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for 1933, Relating to Annual, Regular and Special Meetings of Boards of Common School Districts and Providing for Notice of Same and Relating to Attendance, Per Diem and Mileage of School Officers Attending County Meetings, and Declaring an Emergency.

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

Senators Drew, Trout and Gronvold introduced:

Senate Bill No. 195. A Bill for an Act to Amend and Re-enact Sections 3, 5, 8 and 11 of the Initiated Measure for the Manufacture, Sale and Distribution of Beer, Enacted and Approved September 22, 1933.

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

Senators Crandall and McGillic introduced:

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 148 of the Session Laws of 1931, as Amended by Chapter 120 of the Session Laws of 1933, Relating to the Disposition of Money Collected by the Game and Fish Commissioner, and Providing for the Creation of a Game Conservation Fund, and Defining the Use of Such Fund.

Was read the first time and referred to the Committee on Game and Fish.

Senators Crandall and McGillic introduced:

Senate Bill No. 197. A Bill for an Act to Amend Section 22, Chapter 148 of the 1931 Session Laws as Amended by Chapter 121 of the 1933 Session Laws, Relating to Resident License. Cost. How Issued. Applications. Forms. Game and Fish Shipment, and Declaring an Emergency.

Was read the first time and referred to the Committee on Game and Fish.

SECOND READING OF SENATE BILLS

Senate Bill No. 110. A Bill for an Act Declaring the Draining of a Meandered Lake Within the State of North Dakota to Be a Misdemeanor and Providing Penalties Therefor.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.
Fine	Trovatten

So the bill passed and the title was agreed to.

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 3084a2, 3084a3, 3084a7 and 3084a9 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913, Providing for the Appointment of the State Coal Mine Inspector by the Workmen's Compensation Bureau, Defining Eligibility to That Office, Providing for Assistance and Instruments to Be Furnished to the Inspector and for Payment Therefor and Providing for the Filling of Temporary Vacancies in the Office, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Nelson, Grand Fks.
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Crandall	Kroeber	Strehlow
Drew	Lemke	Stucke
Dubay	Lind	Thatcher
Eastgate	Lowe	Thorson
Erickson	Lynn	Topp
Ettestad	Marshall	Trout
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Gronvold	Mutchler	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Trovatten

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Watt moved that Senate Bill No. 123 be re-referred to the Committee on Appropriations.

Which motion prevailed.

Senate Bill No. 95. A Bill for an Act to Amend and Re-enact Section 7643, Supplement to the Compiled Laws of 1913, Relating to Directed Verdicts, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lind	Thorson
Erickson	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.
Bonzer

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 91. A Bill for an Act Requiring Issuance of Receipt for Road Tax Paid Interstate Carriers, and Requiring Posting of Receipts.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje

Messrs.	Messrs.	Messrs.
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold		

So the bill passed and the title was agreed to.

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 162 of the 1933 Session Laws, Providing for Taxation of Motor Vehicles Using the Highways of the State of North Dakota for Commercial Purposes, and Engaged in Transportation for Hire in Interstate Commerce.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold		

So the bill passed and the title was agreed to.

Senator Matthaei moved that Senate Bill No. 96 be amended as follows:

Section 12, on page 16 of the printed bill, in line 9 beginning with the word "paid," strike out all of the balance of the line and also all of line 10, also line 11 up to and including the word "carried," and insert in lieu thereof the following: "Allowed to any claimant for a loss of less than ten per cent."

Which motion was lost.

Senator Bonzer moved that Senate Bill No. 96 be amended as follows:

In Section 10 on page 12 of the printed bill in line 6 beginning with the word "Whenever," strike out the balance of the line and all of lines 7 and 8 up to and including the first comma and capitalize the word "The."

Which motion prevailed.

Senator Cain moved that Senate Bill No. 96 be amended as follows:

Beginning with the language, "For applications" in line 31 of Section 12, page 13 of the printed bill, strike out the remainder of the Section.

Which motion was lost.

Senator Whelan moved that Senate Bill No. 96 be amended as follows:

In line 33 of page 13 of the printed bill, strike out the figures "25" and insert in lieu thereof the figures "10."

Senator Cain moved as a substitute motion that the motion of Senator Whelan be amended by striking out the figure "10" and inserting in lieu thereof the figure "5."

Which motion was lost.

The question being on the motion of Senator Whelan, the motion was lost.

Senator Drew moved that Senate Bill No. 96 be amended as follows: In line 9, Section 12 on page 12 of the printed bill after the word "year" strike out the balance of line 9 and all of line 10 and insert in lieu thereof the following language: "Applicant may make application for cancellation of his insurance to take effect June the 20th."

Senator Matthaei moved as a substitute motion that Senate Bill No. 96 be amended as follows:

In line 15, page 13 of the printed bill after the word "Time" strike out the words "on the date executed" and insert in line 15 between the words "Noon and Central" this language, "June 20th to July 6th."

Which motion prevailed.

Senator Whelan moved that Senate Bill No. 96 be referred to the Committee on Appropriations.

Which motion was lost.

Senator Fine moved that the rules be suspended and that Senate Bill No. 96 as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senator Whelan moved that Senate Bill No. 96 be amended as follows:

In line 33 of page 13 of the printed bill strike out the figure "25" and insert in lieu thereof the figure "15."

Which motion prevailed.

Senator Cain moved that Senate Bill No. 96 be amended as follows:

Beginning with the word "provided" in line 21, page 13, Section 12, strike out the remainder of the line and also lines 22, 23 and 24 up to and including the word "cancelled."

Which motion was seconded.

Senator Cain moved that Senate Bill No. 96 be laid over one Legislative day.

Which motion prevailed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

L. G. Beardsley, New Rockford; Mrs. G. B. Coffey, Minto; John Odegard, Peter Haugen, Ole Haugen, Oscar Syre, Fritz Mitskog, of Wyndmere; Raymond Patterson and Clarence Miller of Donnybrook; J. H. Lampson, Valley City; Ralph Snider, Sanborn; Andrew Larson, Litchville; August Kranz, Kenmare; H. L. Finke and Carmie A. Thompson of Minot; E. F. Riley, Wahpeton; A. W. Bowers, Stanley; Ed Westval and Myron Draper, Van Hook; E. B. Larson, Sanish; Harry Hardy, Ross; Mrs. William Kane and Mrs. C. D. Hooker, Minot; H. H. Shelvik, Watford City; M. M. Werran, F. X. Gaetz and A. L. Wilkes of Balta; Morris Hager and Mike M. Hager of Orrin; Nels Lastegaard and George Watson, Rugby; E. B. Matteson, Inkster; J. H. Erhardt and Wm. W. Felson of Cavalier; Miss Smyth, Miss Bascomb, and Miss Burr of Bismarck; F. C. Falkenstein, Arlan Stair and Elmer Larson of Bottineau; R. E. Hatt, C. Hjelmstead and J. M. Lund of Grand Forks.

Senator Eastgate moved that the Senate recess until 1:00 o'clock tomorrow.

Which motion prevailed.

F. E. TUNELL,
Secretary.

THIRTY-FIFTH DAY AFTER RECESS

Senate Chamber,
Bismarck, North Dakota,
February 12, 1935.

The Senate convened at 1:00 P. M., pursuant to recess, President pro tem. Marshall presiding.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A resolution presented by Senator Drew, signed, Harry Stromon and two others representing Farmers Union Local No. 843 asking a 10% blend of alcohol made from farm products in all gasoline.

Referred to the Committee on Taxes and Tax Laws.

Senator Etestad moved that the Communication from the Hon. Lynn J. Frazier, U. S. Senator, be printed in the Journal.

Which motion prevailed.

UNITED STATES SENATE

Washington, D. C.

February 9, 1935.

Honorable A. S. Marshall,
President of the Senate,
Bismarck, North Dakota.

Dear Mr. Marshall:

I am in receipt of Joint Memorial Resolution No. A, and am deeply grateful to the members of the North Dakota Legislature.

I want to express through you my appreciation to the members of the Senate.

With best wishes, I am,

Yours sincerely,

LYNN J. FRAZIER.

A resolution presented by Senator Young, signed, Mrs. W. E. Fredinburg, Secretary of Nora Local of The Farmers Union, asking that correspondence courses be arranged for high school subjects.

A like resolution presented by Senator Young, signed, Leo E. Steinman, of the Farmers Union Central Exchange.

Referred to the Committee on Education.

A petition presented by Senator Fine, signed, Irvin Sagen, of Farmers Union Local No. 120, asking the passage of House Bill No. 7.

Referred to the Committee on Agriculture.

A petition presented by Senator Stucke, signed by August Carlson and 15 others, opposing any action to legalize liquor.

Referred to the Committee on Temperance.

A Communication was received from Governor Welford enclosing a letter from the Farm Credit Administration, St. Paul, pertaining to Senate Bills No. 46, 67, 23, 47, 44, 120, and House Bills No. 75, 149, 71, 93. 141.

Referred to the Committee on Judiciary.

The same communication pertaining to House Bill No. 110 was referred to the Committee on State Affairs.

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. 66. A Bill for an Act to Provide for the Creation of a North Dakota Tax Survey Commission, Defining its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

And find the same correctly enrolled.

THOMAS WHELAN,
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. 23. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation

of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession during the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act.

Also,

Senate Bill No. 46. A Bill for an Act Relating to the Foreclosure of Real Estate Mortgages and Land Contracts, Providing What the Judgment and Decree Shall Contain, and Prohibiting Any Deficiency Judgments.

Also,

Senate Bill No. 52. A Bill for an Act Creating a Board Known as the "North Dakota Commissioners of the Federated Cooperative Agricultural Association" and Providing for Cooperation With Other Surplus Producing States of the Union, Describing the Manner of Forming the Same, the Purposes Thereof, Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 75. A Bill for an Act to Provide for Liens in Favor of Hospitals and Other Charitable Institutions Furnishing Care, Treatment and Maintenance of Persons Injured in Accidents, not Subject to the Provisions of the Workmen's Compensation Act of North Dakota, for the Reasonable Value of the Service so Rendered, Upon the Rights of Action, Claims or Demands of Such Injured Persons, or Judgments Recovered Thereon, Against Other Persons, or Corporations, liable in Tort for Damages, on Account of Negligence Causing the Injuries, and Upon the Proceeds of the Settlements of Any Such Claims or Demands; and Upon and Against the Insurer of Such Tort Feasor or Tort Feasors; and Upon Insurance Held by the Injured Person, and Providing for Constructive Notice Upon Such Insurers, Tort Feasors and their Insurers, if any, by a Filing of a Lien Statement with the Clerk of the District Court of the County in Which Such Services Are Rendered.

Also,

Senate Bill No. 74. A Bill for an Act to Provide for the Payment of the Expense of Auditing and Examining the Affairs of the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, the Bank of North Dakota, Including the Farm Loan Department, the State Hail Insurance Department, the Workmen's Compensation Bureau of the State of North Dakota, the Office of the Beer Commissioner of the State of North Dakota, the North Dakota State Regulatory Department, and the North Dakota Teachers Insurance and Retirement Fund, by the State Board of Auditors Pursuant to Section 369-b of the

Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 186 of the Laws of 1933; Designating and Appropriating the Funds From Which Such Payment Shall Be Made; Providing for the Procedure for Such Payment; Providing for the Repeal of Any Acts in Conflict Herewith; and Declaring an Emergency.

Also,

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Subdivision (e) of Section 1 of Chapter 161, Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

Senate Bill No. 97. A Bill for an Act Relating to Refunding Special Improvement Warrants, Repealing Chapter 195 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 178 of the Session Laws of North Dakota for 1929 and All Other Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 98. A Bill for an Act to Amend and Re-enact Subsection (3) of Section 1, Chapter 196, Session Laws of North Dakota for the Year 1927, and Declaring an Emergency.

Also,

Senate Bill No. 114. A Bill for an Act Relating to Funding and Refunding Existing Indebtedness of Municipalities and Declaring an Emergency.

Also,

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 26, 27, 31, 32, 33 and 35 of Chapter 164, of the Session Laws for 1933, Relating to Regulations of Motor Vehicle Transportation.

Also,

Senate Bill No. 120. A Bill for an Act to Amend and Re-enact Section 2 of That Certain Initiated Law Entitled, "An Act Declaring Mortgages on Growing and Unharvested Crops to be Against the Public Policy of This State, and Abolishing the Same." Approved and Adopted by the Electors at the June 29th, 1932, Primary Election, Repealing Chapter 150, Session Laws of 1933, and Declaring an Emergency.

Also,

Senate Bill No. 125. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Several Counties to Remove from the Tax Rolls and Declare as Exempt from Taxation All Inundated Land Upon Which the Owner Thereof Has Granted or Shall Hereafter Grant to the

United States of America, Its Instrumentalities or Agencies, a Permanent Easement for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Such Inundated Lands Shall Remain Exempt Until Such Time as the Water and/or Wildlife Conservation Projects Shall Have Been Abandoned, Providing That Such Power to Remove from the Tax Rolls or Declare as Exempt Shall Not Attach Until Such Time as the Construction of the Water and/or Wildlife Conservation Projects Shall Have Been Completed, and Declaring an Emergency.

Also,

Senate Bill No. 126. A Bill for an Act Declaring All Water and/or Wildlife Conservation Projects, Including Wildlife Reservations, to Be a Public Purpose, Providing That All Lands Within the Ordinary High-water Mark of Navigable Lakes Shall Be Under the Control of the State, Under Its Police Power, for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Authority and Control Over Such Lands Shall Be Vested in the State Engineer, Defining the Term "Ordinary High-water Mark," Providing That All Meandered Lakes Shall Be Declared to Be Navigable Within the Meaning of This Act, Providing a Saving Clause, Repealing All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1291, Compiled Laws of 1913, Concerning Elections in Independent School Districts, Placing Control Thereof in the Hands of the Board of Education, and Providing for Special Elections in Such Districts, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 160. A Bill for an Act to Amend and Re-enact Chapter 272 of the Session Laws of 1931, Authorizing the Board of Administration, with the Approval and Consent of the Governor, to Transfer the License of the Radio Station Located at the State University of North Dakota at Grand Forks, North Dakota.

And find the same correctly engrossed.

THOMAS WHELAN,
Chairman.

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

Senator Jones moved that Senate Bill No. 114 be referred to the Committee on Cities and Municipal Corporations.

Which motion prevailed.

REPORT OF STANDING COMMITTEES

The Committee on Game and Fish made the following report:

Mr. President: Your Committee on Game and Fish to whom was referred:

Senate Bill No. 53. A Bill for an Act Requiring All Hunters and Trappers to Report the Number and Kind of Birds and Animals Killed or Trapped During Previous Season.

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

W. S. HANDLEY,
Chairman.

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

The Committee on Game and Fish made the following report:

Mr. President: Your Committee on Game and Fish to whom was referred:

Senate Bill No. 79. A Bill for an Act to Amend and Re-enact Section 53, Chapter 148 of the 1931 Session Laws, Relating to Commercial Fishing, Application for License and Cost Thereof.

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

W. S. HANDLEY,
Chairman.

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

The Committee on Highways and Bridges made the following report:

Mr. President: Your Committee on Highways and Bridges, to whom was referred:

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Chapter 163 of the Session Laws of 1933, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles, That May Be Driven and Moved Upon the Highways of the State of North Dakota, and Prescribing Penalty for Violation Thereof.

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

On Page 2 of the printed bill, in line 11 of subdivision (c), Section 1, following the word "vehicle" insert the following words: "or combination of vehicles."

On Page 2 of printed bill, in line 14 of subdivision (c), Section 1, following the word "State" add the following: "The provisions hereof shall not apply to carriage of structural material of telephone, power and telegraph companies, which must necessarily be transported on the highways on account of the location of their lines, adjacent to said highways. Other structural material, which otherwise could not be transported over the highways of this state, on account of the provisions of this act, may be so transported upon obtaining a temporary permit from the Commission, or from any employee designated by said Commission for said purpose upon a showing of a reasonable necessity and that the transporting of such structural material will not damage the highways to be used."

On Page 2 of printed bill, strike out all of subdivision (d) in lines 15 and 16.

On Page 2 of printed bill, line 17, strike out the letter "e" in parenthesis, and insert in lieu thereof the letter "d."

On Page 2 of printed bill, line 22, strike out the letter "f" and insert in lieu thereof the letter "e."

On Page 2 of printed bill, strike out all of lines 24 and 25, and insert in lieu thereof the following:

"(f) No vehicles or combination of vehicles shall together with load exceed sixteen thousand pounds in weight per axle properly tired, or six hundred pounds per inch of tire, provided however that the maximum gross weight of any vehicle or any combination of vehicles shall not exceed the weight of thirty-five thousand pounds."

On Page 2 of printed bill, in Line 26, strike out the letter "h," in parenthesis, and insert in lieu thereof the letter "g."

On Page 2 of printed bill, in Line 29, strike out the letter "i" in parenthesis, and insert in lieu thereof the letter "h."

And when so amended recommend the same do pass.

HARRY PETERSON,
Chairman.

Senator Fine moved that the committee report on Senate Bill No. 90 be laid over one legislative day.

Which motion prevailed.

Senator Peterson moved that Senate Bills No. 23 and 47 be re-referred to the Committee on Judiciary.

Which motion prevailed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Anton Sebby, Fingal; A. B. Anderson, Wahpeton; G. H. Trimble, Fargo; J. H. Henrickson, Henry B. Henrickson and G. B. Sandanger of Fort Ransom; E. H. Dahl, Watford City;

Halvor Ambrosen, Keene; Chas. Tour and Chas. Nance, Mohall; Harold Serumgard, Devils Lake; Oscar Hagen, Watford City; T. J. Tollefson and Mabel Hertsgaard of Fargo; J. G. Ulmer, Dee Reynolds, Robert Johnson, T. J. Kelsh, of Fullerton; Mrs. Otto Topp, Grace City; Earl Walter and Mads Ejsing of Bowbells; R. L. Fraser, Garrison; B. E. Weise and John Hill of Washburn; N. L. Maxwell, Turtle Lake; A. G. Wilson, G. D. Stouh, O. D. Beggs, Ellendale; Richard Luche, Oakes; Mr. and Mrs. H. M. Robins, Ludden; Mr. and Mrs. Al Mattson, Oakes; Mr. and Mrs. Wm. Gemar, Oakes; Mrs. W. J. Shafer, Oakes; Mrs. Joe Hayes, Hecla, S. D.; Mrs. Will Arndt, Fullerton.

Senator Bonzer moved that the Senate adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

THIRTY-SEVENTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 13, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. Herman G. Johnson.

Roll call: All Senators were present except Senators Ettestad, Fine and McDonald.

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

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

On page 44 in line 41, strike out the words "Other Municipalities" and insert in lieu thereof the words "Municipal Corporations."

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-fifth day after recess and found the same to be correct.

And recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 13, 1935.

Mr. Speaker: I have the honor to transmit the following bills:

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 162 of the 1933 Session Laws, Providing for Taxation of Motor Vehicles Using the Highways of the State of North Dakota for Commercial Purposes, and Engaged in Transportation for Hire in Interstate Commerce.

Also,

Senate Bill No. 91. A Bill for an Act Requiring Issuance of Receipt for Road Tax Paid Interstate Carriers, and Requiring Posting of Receipts.

Also,

Senate Bill No. 95. A Bill for an Act to Amend and Re-enact Section 7643, Supplement to the Compiled Laws of 1913, Relating to Directed Verdicts, and Declaring an Emergency.

Also,

Senate Bill No. 110. A Bill for an Act Declaring the Draining of a Meandered Lake Within the State of North Dakota to Be a Misdemeanor and Providing Penalties Therefor.

Also,

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 3084a2, 3084a3, 3084a7 and 3084a9 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913, Providing for the Appointment of the State Coal Mine Inspector by the Workmen's Compensation Bureau, Defining Eligibility to That Office, Providing for Assistance and Instruments to Be Furnished to the Inspector and for Payment Therefor and Providing for the Filling of Temporary Vacancies in the Office, and Declaring an Emergency.

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

Very respectfully,

F. E. TUNELL,
Secretary

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 13, 1935.

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

House Bill No. 32. 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 Chapters 26 and 152, Session Laws of 1915, the Same Being Sections 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 67. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerk-hire, Postage and Travel Expense of the Office of Department of Agriculture and Labor.

Also,

House Bill No. 83. A Bill for an Act Making an Appropriation for the Purchase of Certain Lots Within the Plat of Capitol Park Adjoining the Capitol Buildings in the City of Bismarck, North Dakota, and Providing for Method of Disbursements Thereof.

Also,

House Bill No. 84. A Bill for an Act Making an Appropriation for the Payment of Rent Due for Offices Occupied by State Officers and for Which no Prior Appropriation was Made Available, and Declaring an Emergency.

Also,

House Bill No. 81. A Bill for an Act Making an Emergency Appropriation to Provide for the Payment of the Salaries of Assistant Dairy Commissioners, Official Tester, Clerkhire, Office Supplies, Printing, Postage, Travel Expenses, Auto Exchange and Miscellaneous Expenses for the Office of Dairy Commissioner, and Declaring an Emergency.

Also,

House Bill No. 25. 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.

Also,

House Bill No. 111. A Bill for an Act Entitled an Act to Empower the Governing Boards of Municipalities to Compromise and Fund Judgment Liabilities; to Issue Bonds in Satisfaction of Judgments Reduced in Amount by Com-

promise and Provide for the Form, Execution, Registration and Payment of the Same; and to Invest Municipalities with an Interest in Uncollected Special Assessments in Certain Cases.

Also,

House Bill No. 146. A Bill for an Act Providing for the Revision and Passage of Village Ordinances.

Also,

House Bill No. 168. A Bill for an Act to Require the Appraising of the Use of Butter Substitutes on Popcorn Sold or Offered for Sale and Providing Penalties for Violation.

Also,

House Bill No. 87. A Bill for an Act to Amend and Re-enact Chapter 264 of the Session Laws of the State of North Dakota for the Year 1931, Providing for the Appointment of a Superintendent, of State Hospital for the Insane, Assistant Medical Superintendents, and Assistant Chiropractic Superintendents, Salaries of Superintendents and Providing Method of Handling Patients, and Provision for Preference as to Type of Treatment by Nearest Relative or General Personal Guardian, and Declaring an Emergency.

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

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 13, 1935.

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

Senate Bill No. 36. A Bill for an Act to Repeal Sub-sections C and E of Section 1 of Chapter 185, Laws of 1933, and to Amend and Re-enact Section 2 of Chapter 205, Laws of 1931, Relating to the Board of State Capitol Commissioners, and Declaring an Emergency.

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 13, 1935.

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee on Senate

Bill No. 5: Representatives Symington, Brunsdale and Schauss.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

Two telegrams signed, O. Lunde, and G. J. Score, asking support of Senate Bill No. 90, were presented by Senator Johnson.

Four telegrams presented by Senator Strehlow in support of Senate Bill No. 90.

Senator Vinje presented telegrams from Farmers Union Elev. Co., Buxton, N. D., Equity Elevator and Trading Co., Kelso, N. D., Cummings Farmers Elevator Co., and Cummings Potato Co., and Bessie Bartles, Kelso, N. D., favoring passage of Senate Bill No. 90.

Four telegrams presented by Senator Nelson of Grand Forks, asking support of Senate Bill No. 90.

Two telegrams presented by Senator Greene of Cavalier, asking support of Senate Bill No. 90.

Two telegrams presented by Senator Fredrickson, asking support of Senate bill No. 90.

Two telegrams presented by Senator Gronvold asking support of Senate Bill No. 90.

Seven telegrams presented by Senator Lind, asking support of Senate Bill No. 90.

Which were referred to the Committee on Highways.

A petition presented by Senator Drew, signed Methodist Church, Devils Lake, condemning hard liquor.

A petition presented by Senator Marshall, signed Mrs. N. R. Heinzen, of the Plaza W.C.T.U., condemning any law in favor of hard liquor.

A petition presented by Senator McGillic, carrying thirty signatures, condemning hard liquor.

A petition presented by Senator Wog, signed, Mrs. C. F. Eidebrach, and thirty-seven others, condemning the legalization of hard liquor.

A petition presented by Senator Braaten, signed O. T. Ness, condemning hard liquor.

A petition presented by Senator McGillic, signed, Lydia K. Egli and sixteen others, condemning hard liquor.

Which were referred to the Committee on Temperance.

A petition received at the desk, signed P. M. Reis, asking that the Naturopathy Bill be passed.

Referred to the Committee on State Affairs.

A resolution presented by Senator Peterson, signed, David Bartelsen and two other members of the Farmers Union of Mountrail, asking that all real estate taxes prior to and including 1934 be cancelled and a sales tax law passed.

A resolution presented by Senator Brostuen, signed, A. C. Eidam and two other County Commissioners of Sioux county, asking a Gross Income Tax Law.

Referred to the Committee on Taxes and Tax Laws.

A resolution from the same source, in favor of the proposed hail law.

Referred to the Committee on Insurance.

A resolution presented by Senator Kolpin, signed, A. C. Bjerken, secretary of the North Dakota Wool Marketing Association, demanding a dog tax and coyote bounty.

Referred to the Committee on Livestock.

A resolution presented by Senator Marshall, signed, August Doehr, of the Burleigh County Holiday association, asking relief for starving livestock.

Referred to the Committee on State Affairs.

A resolution presented by Senator Marshall, signed, G. W. Hanna, superintendent of schools of Valley City, regarding school legislation.

A resolution presented by Senator Lemke, signed, Mrs. W. W. Lehman, of the Rock Lake Teachers association, suggesting school legislation.

A resolution presented by Senator Dubay, signed, Mrs. T. S. Linson, of Farmers Union Local No. 444, asking that a correspondence course for high school subjects be arranged for.

A resolution, presented by Senator Crandall, signed, Mrs. Otto Machiel and two others, asking for a correspondence course in high school subjects.

Which were referred to the Committee on Education.

REPORT OF STANDING COMMITTEES

The Committee on Irrigation and Drainage made the following report:

Mr. President: Your Committee on Irrigation and Drainage to whom was referred:

Senate Bill No. 127. A Bill for an Act Providing That Any Person, Co-partnership or Corporation Who Has or May Acquire Any Right, Interest or Adverse Claim to Land Upon Which the United States of America or the State of North Dakota, Their Instrumentalities or Agencies, Shall Construct or Cause to Be Constructed Any Water and/or Wildlife Conservation Projects, Including All Reservoirs, Lakes and Wildlife Reservations, Must Give Written Notice of Any Such Right, Interest or Adverse Claim to the Agency or Instrumentality in Charge of Such Construction; Providing That the Commencement of Such Construction Shall Be Due Notice to All Such Parties Having Any Right, Interest or Adverse Claim, Providing That the Failure to Give Written Notice as Provided in This Act Within Thirty Days Thereafter Shall Preclude Any Further Claim, and Shall Establish the Legal Right of the United States or the State of North Dakota, Their Instrumentalities or Agencies, to Construct, Maintain and Operate Such Water and/or Wildlife Conservation Projects, Including Reservoirs, Lakes, and Wildlife Reservations, Repealing All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

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

F. T. GRONVOLD,
Chairman.

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

A majority of the Committee on Appropriations made the following report:

Mr. President: A majority of your Committee on Appropriations to whom was referred:

Senate Bill No. 117. A Bill for an Act Making an Appropriation of Funds Accumulated Thru the Administration of the Provision of Chapter 244 of the Session Laws of 1923, for the Purpose of Assisting in Defraying the Expenses of the North Dakota American Legion Band in Attending the National Convention of the American Legion to be Held at St. Louis in the Year 1935; and the American Legion National Convention for 1936; and Repealing Acts in Conflict Herewith.

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

J. E. EASTGATE,
ED GREENE,
ALBERT DUBAY,
JOHN L. MIKLETHUN,
WM. WATT,
A. A. TROVATTEN,
WM. J. LOWE,
W. E. MATTHAEI,
L. O. FREDRICKSON,
Chairman.

A minority of the Committee on Appropriations made the following report:

Mr. President: A minority of your Committee on Appropriations to whom was referred:

Senate Bill No. 117. A Bill for an Act Making an Appropriation of Funds Accumulated Thru the Administration of the Provision of Chapter 244 of the Session Laws of 1923, for the Purpose of Assisting in Defraying the Expenses of the North Dakota American Legion Band in Attending the National Convention of the American Legion to be Held at St. Louis in the Year 1935; and the American Legion National Convention for 1936; and Repealing Acts in Conflict Herewith.

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

A. S. MARSHALL,
WM. A. THATCHER,
B. W. LEMKE,
E. C. STUCKE,

Senator Fredrickson moved that the report of the majority be adopted.

Senator Stucke moved as a substitute motion that the word "minority" be substituted for the word "majority," which motion prevailed and the bill was recommended for passage.

The Committee on Appropriations made the following report:

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

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance and a New Building for the State Hospital for the Insane at Jamestown, North Dakota.

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

That in line 3 of the title of the printed bill the period be changed to a comma, and the following language added: "and for the construction and equipment of a new building at said Hospital; permitting the use of labor of inmates in the construction and equipment of such new building; imposing certain duties on the Board of Administration in connection therewith; and repealing all acts or parts of acts in conflict therewith."

That on page 3, line 38, of the printed bill, after the words "new buildings" delete the colon and add "and equipment."

That in line 39, on page 3 of the printed bill, after the word "building" the words "and equipment" be added.

That a second section be added to said bill as follows:

"Section 2. Use of Labor of Inmates. Duties of Board of Administration.) Notwithstanding any law to the contrary, the Board of Administration is authorized and empowered to use without compensation any inmate of the hospital for the insane to do and perform any work or labor in the construction and equipment of the new building at said institution for which an appropriation is hereby made as a part of or in addition to the contract that may be awarded for said new building; and the Board of Administration may, if it sees fit and proper, award a contract or contracts for part only of the construction and equipment of said new building, and complete said building with the labor of said inmates either in whole or in part, and purchase, in the manner provided by law therefor the material necessary to be used by said inmate labor; and the Board of Administration may also enter into any agreement whereby any funds might be obtained from the Federal Government or any of its agencies for the purpose of constructing part of such new building, which funds may then be added to the appropriation hereby made therefor, the said agreement to be in conformity with the rules and regulations prescribed for the obtention of said funds, and in that event the total cost of said new building may exceed the amount hereby appropriated therefor; provided, however, that the total disbursements to be made out of state moneys for the construction and equipment of said new building shall in no case exceed the amount hereby appropriated therefor.

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 163. A Bill for an Act Making an Appropriation to the University of North Dakota to Meet a Deficiency in the Appropriation for the Biennium Expiring June 30, 1935, for the Public Health Laboratories; and Declaring an Emergency.

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

L. O. FREDRICKSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 190. A Bill for An Act Making an Appropriation of Funds Accumulated Through the Administration of the Provision of Chapter 244 of the Session Laws of 1923, for the Purpose of Financing Additional Repairs and Maintenance to the North Dakota Old Soldiers' Home at Lisbon, North Dakota.

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

L. O. FREDRICKSON,
Chairman.

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

Senator Erickson moved that Senate Bill No. 140 be referred to the Committee on Appropriations.

Which motion prevailed.

The Committee on Agriculture made the following report:

Mr. President: Your Committee on Agriculture to whom was referred:

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, Sub-Section (b) of Section 4, and Section 13 of Chapter 215, Session Laws of 1931.

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

On Page 3, Section 4, Sub-section (b), line 4, of the printed Bill, strike out the word "The" and insert in lieu thereof the word "Any." After the word "applicant" insert the following "handling not to exceed six thousand bushels."

In line 5 strike out the figures "\$2000.00" and insert in lieu thereof the figures "\$1000.00." Also strike out the word "Two" and insert in lieu thereof the word "One."

In line 6, after the word "Dollars" insert the following: "and any applicant handling in excess of six thousand bushels shall execute and file a bond of not less than Two Thousand Dollars (\$2000.00)."

And when so amended recommend the same do pass.

HERMAN THORSON,
Chairman.

Senator Fowler moved that the Committee report on Senate Bill No. 100 be laid over for two Legislative days, which motion prevailed.

The Committee on Agriculture made the following report:

Mr. President: Your Committee on Agriculture to whom was referred:

Senate Bill No. 101. A Bill for an Act to Establish a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Regulating the Sale and Distribution of the Same, Defining Certain Terms, Designating Standard Grades, Providing for an Inspection Service and for the Fixing of Fees and Other Charges and the Disposition of the Same, Defining Violations and Providing Penalties Therefor, Defining Certain Cooperative Functions, Charging Carriers with Certain Responsibilities, Providing for Enforcement and Prosecution, Providing for Effect of Partial Invalidity, and Providing for Administration of the Act Through the State Seed Commissioner and Giving Him Authority to Make Necessary Rules and Regulations, and to Administer Oaths, and to Have Free Access and Power of Seizure, and Providing for Supersedence of This Act.

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

In Section 2, line 28, page 3 of the printed Bill, strike out the word "full." In Section 4, line 16, page 5 of the printed Bill, strike out the word "consumer" and insert in lieu thereof the word "consumers."

In Section 5, line 6, page 6 of the printed Bill, after the word "inspected," insert the words "or checked." Same section, line 8, after the word "inspection" insert the words "or other evidence." Same section, line 8, after the word "classification" insert the words "or disposition."

In Section 5, page 6, line 9, after the word "thereof" insert the following paragraph:

"Provided that any grower may sell, consign, or transport or offer or consign in interstate or intrastate commerce in closed containers so long as said containers are marked or labeled "unclassified" and that when so labeled such potatoes need not be inspected."

And when so amended recommend the same do pass.

HERMAN THORSON,
Chairman.

Senator Brostuen moved that Senate Bill No. 101 be amended as follows:

Strike out the period after the word "thereof" in line 9, Section 5, page 6, of the printed bill, and insert a comma in lieu thereof.

Which motion prevailed.

Senator Thorson moved that the Committee report, as amended, be adopted, which motion prevailed and the report was adopted.

The Committee on Agriculture made the following report:

Mr. President: Your Committee on Agriculture to whom was referred:

SENATE CONCURRENT RESOLUTION "P"

Memorializing Congress to Support House Joint Resolutions No. 15, 83, and 86 introduced in the Congress of the United States by Representative Burdick.

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

On Page 1, line 5, of the printed Bill, after the word "made" strike out the following language "or hereafter to be made."

And when so amended recommend the same do pass.

HERMAN THORSON,
Chairman.

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

Senator Fowler moved that the Committee report on Senate Bill No. 90 be amended as follows:

On page 2 of the printed bill strike out all of lines 24 and 25 and insert between the words "lines and 24" the figures 22 and 23; number the sub-division as "E" and change the remaining sub-divisions accordingly.

Which motion prevailed.

Senator Brostuen moved that Senate Bill No. 90 be amended as follows:

Strike out the period at the end of the title, insert in lieu thereof a comma and add the following: "and declaring an emergency."

Which motion prevailed.

Senator Peterson moved that the report as amended be adopted.

Which motion prevailed.

The Committee on Insurance made the following report:

Mr. President: Your Committee on Insurance to whom was referred:

Senate Bill No. 138. A Bill for an Act Providing That Surety and Insurance Companies Other Than Life Insurance Companies, Shall Do Business in This State Only Through Duly Licensed Resident Agents, Regulating the Practice of Such Resident Agents, Providing That the Commissioner of Insurance Shall Have the Power to Refuse, Suspend or Revoke Licenses of Such Resident Agents, Authorizing the Commissioner of Insurance to Examine the Records of Surety or

Insurance Companies, to Collect Premium Taxes on Surety or Insurance Companies That Have Transacted Business Within the State Without Authority, Providing Penalties for the Violations Thereof, and Repealing Sections 4961, 4962, 4963 and 4964 of the Compiled Laws of North Dakota for 1913 and Chapter 133, of the Session Laws of North Dakota for 1933.

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

In the title of the bill at the end of said title the period be changed to a comma and that the following language be added: "and declaring an emergency."

On page 4, Section 4, line 1 of the printed bill, the word "reinsure" be deleted and that there be inserted in lieu thereof of the word "insure."

On page 5, Section 9, line 2, of the printed bill, the words "revised statute" be deleted and that there be inserted in lieu thereof of the words "Compiled Laws."

And when so amended recommend the same do pass.

W. E. MATTHAEI,
Chairman.

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

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 13, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 5.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

REPORT OF CONFERENCE COMMITTEE

The Conference Committee on Senate Bill No. 5 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 5. 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 Amendments There-to, and to Meet Other Requirements Prescribed by the Federal Statutes.

Beg leave to report that we have met with a like committee from the House and have had the same under consideration and recommend that the amendment of the House be changed to read as follows:

In line 3 of the printed bill, strike out the figures "\$55,000.00" and insert in lieu thereof the figures "\$60,000.00."

And when so amended recommend the report of the Conference Committee be adopted.

For the Senate:

L. O. FREDRICKSON,
ALBERT DUBAY,
J. E. EASTGATE.

For the House:

E. D. SYMINGTON,
KARL H. BRUNSDALE,
GUS A. SCHAUSS.

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

Senator Fredrickson moved that the rules be suspended and that Senate Bill No. 5, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 5. 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 Amendments There-to, and to Meet Other Requirements Prescribed by the Federal Statutes.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Handley	Miklethun
Brostuen	Johnson	Mutchler
Cain	Jones	Nelson, Barnes
Coffey	Kamrath	Nelson, Grand F'ks.
Crandall	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Stucke

Messrs.	Messrs.	Messrs.
Eastgate	Lind	Topp
Ettestad	Lowe	Trovatten
Fowler	Lynn	Vinje
Fredrickson	Marshall	Watt
Greene, Cavalier	Matthaei	Whelan
Greene, Stutsman	McDonald	Young
Gronvold	McGillic	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fine	Thatcher	Trout
Owings	Thorson	Wog

Absent and not voting:

Messrs.
Bonzer
Erickson

So the bill passed and the title was agreed to.

Senator Dubay moved that all absent Senators be excused.

Which motion prevailed.

SENATE CONCURRENT RESOLUTION "T"

Introduced by Senator Trout

BE IT ENACTED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING:

WHEREAS, A large percentage of the farmers of the State of North Dakota are experiencing a shortage of feed for their livestock because of crop failure in the year 1934, by reason of the drought, and have not the means with which to purchase sufficient grains for feeding purposes at their present high prices; and

WHEREAS, Farmers are receiving Federal aid for the purchasing of feed to sustain their livestock, but that the aid or relief provided is inadequate with which to purchase sufficient feed at present high prices even though the Federal allowance has been increased about fifty per cent, since feed has also appreciated in price in about the same proportion; and

WHEREAS, A large number of livestock have perished and many more will perish unless relief can be had; and

WHEREAS, Large quantities of feed, consisting of oats, barley and low grades of wheat fit for feeding purposes, are available in the Dominion of Canada at considerably lower prices than prevail here, and that the importation of feed grains would not in any way prove detrimental to the agricultural industry of this State or of the United States,

NOW, THEREFORE, Be it Resolved by the 24th Legislative Assembly of the State of North Dakota, that we respectfully petition the President of the United States, the Hon. Franklin D. Roosevelt, and the Congress of the United States, to permit limited quantities of feed grains to be shipped into the United States, duty free, and in sufficient amount to relieve the acute feed situation that now prevails, and thereby prevent large losses by starvation of livestock in this and adjoining states.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to President Franklin D. Roosevelt, the President of the United States Senate, the Speaker of the House of Representatives of the United States, Congressmen Wm. Lemke and Usher L. Burdick, and United States Senators Lynn J. Frazier and Gerald P. Nye.

Senator Trout moved that the rules be suspended and that Senate Concurrent Resolution "T" be placed upon second reading and final passage.

Which motion prevailed.

SENATE CONCURRENT RESOLUTION "T"

Was read the second time.

ROLL CALL

The question being on the adoption 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.
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Cain	Jones	Nelson, Grand Fks.
Coffey	Kamrath	Owings
Crandall	Kolpin	Peterson
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lind	Thorson
Erickson	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Strehlow	Trovatten

So the Resolution was adopted.

Senator Trout moved that the vote by which Senate Concurrent Resolution T was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarek, North Dakota,
February 13, 1935.

Mr. Speaker: I have the honor to transmit herewith:

SENATE CONCURRENT RESOLUTION "T"

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

SENATE CONCURRENT RESOLUTION "V"

Introduced by Seantors Miklethun and Fine

Memorializing Congress to Submit to the States for Ratification, a Proposed Amendment to the Constitution of the United States providing for Referendum of the People Before Declaring War.

WHEREAS, Large expenditures are being made by European nations and other nations in furtherance of preparations for war, and

WHEREAS, The great loss we sustained in lives and economic losses by reason of our participation in the late World War should be a warning against any further foreign entanglements, and

WHEREAS, In the event of another European conflict every effort would be made to induce and to force us into the conflict, and

WHEREAS, We believe that our people who fight in wars and pay for them should have a direct voice in determining when war shall be declared,

THEREFORE, Be it Resolved by the Senate of the State of North Dakota, the House of Representatives Concurring, that the Legislative Assembly of North Dakota respectfully memorializes the Congress of the United States to immediately take steps to submit to the state for approval, an amendment to the Constitution of the United States requiring a favorable popular referendum vote of the people of this nation before Congress can declare war, except that any attempted invasion may be repelled without referendum vote of the people, and

BE IT FURTHER RESOLVED, That the Congress of the United States shall immediately pass laws that in case of war property and wealth of the nation shall be conscripted without profit or compensation, and

BE IT FURTHER RESOLVED, That copies of this resolution be forwarded to both houses of the Congress of the United States and to the North Dakota members thereof.

Referred to the Committee on State Affairs.

SENATE CONCURRENT RESOLUTION "U"

Introduced by Senators Fine, Fowler and Whelan

WHEREAS, During the past years the Federal Government has made loans to the farmers of this state to aid them in the purchase of seed with which to plant their crops and has taken security for such loans in the form of notes secured by crop mortgages, and

WHEREAS, By reason of the continued drought conditions existing in this state and the continuance of the depression which has so adversely affected agriculture, it has been absolutely impossible for our farmers to liquidate but a very small portion, if any, of such indebtedness, and

WHEREAS, It will be necessary for our farmers to receive further aid from the Federal Government during the year 1935, to enable them to purchase and obtain the seed necessary to plant their crops.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we urge our Representatives in Congress to do everything possible to bring about the passage of legislation by Congress or the issuance of such executive order as may be necessary to obtain for our farmers the seed which will be required to plant their crops during 1935, but without any requirement that payment shall be made or security required or given on account of any prior indebtedness to the government for seed sold and furnished in prior years.

Which was referred to the Committee on State Affairs.

SENATE RESOLUTION "F"

Introduced by Senators Erickson, Johnson, Stucke, Lind, Greene of Stutsman, and Peterson

WHEREAS, The United States Circuit Court of Appeals sitting at Cincinnati, Ohio, has sustained the holding of the Hon. Charles I. Dawson, one of the judges of the district courts of the United States, in the case of Joint-Stock Land Bank of Louisville, Kentucky, vs William M. Radford, declaring constitutional and valid the Frazier-Lemke farm moratorium act, and

WHEREAS, The daily press has seen fit to give but minor publicity to such holding, notwithstanding the fact that it

devoted much space and gave much publicity to the holding of one United States district court judge who held such act to be unconstitutional and void, and

WHEREAS, We believe that the final sustaining of such legislation will be of great and paramount importance to the agricultural interests of the nation, and we further believe that such legislation will play an important part in the final and speedy recovery of the agricultural and other interests of the United States,

THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA:

That the Secretary of the Senate be, and he is hereby instructed to send telegrams to Senator Frazier and Congressman Lemke, extending to them the sincere thanks and congratulations of the people of North Dakota.

BE IT FURTHER RESOLVED, That a copy of this resolution be mailed to Senator Frazier and Congressman Lemke, and that the same be printed in the Journal.

Referred to the Committee on State Affairs.

FIRST READING OF SENATE BILLS

Senator McDonald introduced:

Senate Bill No. 198. A Bill for an Act Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

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

Senator Jones (by request) introduced:

Senate Bill No. 199. A Bill for an Act Relating to the Business of Selling Fresh Meats at Retail to Consumers, Creating a Board of Meat Cutters' Examiners of the State of North Dakota; to Provide for Registration of Meat Cutters and Apprentices; to Provide for Said Board Examining Applicants for Registration; and to Provide for Said Board Adopting Rules and Regulations Relating to Sanitary Conditions in Said Business.

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

Senator Jones (by request) introduced:

Senate Bill No. 200. A Bill for an Act Creating and Establishing a State Employment Service in Cooperation With the Federal Government Under the Provisions of the Wagner-Peyser Act. Providing Payment of Salaries and Expenses and Making an Appropriation.

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

Senator Peterson introduced:

Senate Bill No. 201. A Bill for an Act to Amend and Re-enact Sections 1168, 1255, and 1306 of the Compiled Laws of the State of North Dakota, Relating to Keeping of Accounts and the Manner of Disbursement of Funds of Common, Special and Independent School Districts, and Providing for the Form of Warrants to Be Used by Said School Districts as Amended by Chapter 228 of the 1933 Session Laws of North Dakota and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Committee on State Affairs introduced:

Senate Bill No. 202. A Bill for an Act Providing for the Creation of Power Districts; Prescribing Powers and Duties of Such Districts; and Authorizing Such Districts to Conduct and Operate Utilities for the Production, Transmission or Distribution of Electric Energy, and to Issue Bonds and Providing for the Payment of Such Bonds.

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

Committee on State Affairs introduced:

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 196 of the Laws of North Dakota, 1927, in Relation to the Levy of Taxes to Pay the Principal of and Interest on Bonds Issued by Municipalities Which Are Further Sustained by Revenue of a Revenue-Producing Utility, Industry, or Enterprise.

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

Committee on State Affairs introduced:

Senate Bill No. 204. A Bill for an Act Simplifying the Procedure for the Construction and Financing of Public Works Projects by Municipalities, Enabling Municipalities to Make and Perform Contracts with Federal Agencies Relating to the Construction and Financing of Such Projects and Conferring Additional Powers Upon Municipalities and for Other Purposes.

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

Committee on State Affairs introduced:

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Subsection 2 of Section 2 and Section 5 of Chapter 179 of the Session Laws of North Dakota, 1933, Authorizing

the Execution of a Mortgage or a Deed of Trust to Secure Mortgage Bonds and Making Such Bonds Negotiable.

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

Committee on State Affairs introduced:

Senate Bill No. 206. A Bill for an Act Creating the Rural Electrification Authority of North Dakota for the Purpose of Promoting and Encouraging the Fullest Possible Use of Electric Energy in the State by Making Electric Energy Available to Certain Inhabitants of the State at the Lowest Cost Consistent With Sound Economy and Prudent Management; Authorizing the Authority to Sell and Distribute Electric Energy and to Construct or Otherwise Acquire a System or Systems for the Generation, Transmission and Distribution of Electric Energy to Carry Out the Purposes of This Act; Providing for the Rights, Powers and Duties of the Authority; Authorizing and Regulating the Issuance of Bonds by the Authority; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof.

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

Committee on State Affairs introduced:

Senate Bill No. 207. A Bill for an Act Providing for the Formation of Non-profit Membership Corporations to Be Known as Electric Membership Corporations for the Purpose of Promoting and Encouraging the Fullest Possible Use of Electric Energy in the State by Making Electric Energy Available to the Inhabitants of the State at the Lowest Cost Consistent With Sound Economy and Prudent Management of the Business of Such Corporations; Providing for the Rights, Powers and Duties of Such Corporations; Authorizing and Regulating the Issuance of Bonds by Such Corporations; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof.

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

Committee on State Affairs introduced:

Senate Bill No. 208. A Bill for an Act Providing for the Acquisition, Purchase, Construction, Reconstruction, Improvement, Betterment, Extension, Operation, and Maintenance of Revenue-producing Undertakings by Any City, Incorporated Town or Village; Authorizing and Regulating the Issuance of Revenue Bonds for Financing Such Undertakings; and Providing for the Payment of Such Bonds and the Rights of Holders Thereof.

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

Committee on State Affairs introduced:

Senate Bill No. 209. A Bill for an Act to Amend Section 17 of Chapter 196, Session Laws of North Dakota for the Year 1927, Authorizing the Private Sale of Bonds to the United States of America or Any Agency or Instrumentality Thereof Without Public Advertisement.

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

Committee on State Affairs introduced:

Senate Bill No. 210. A Bill for an Act Providing That Any City or County Which Owns a Revenue-producing Utility May Serve Beyond its Corporate Limits and to and Within Other Cities or Towns and Villages for Public and Private Uses; and May Enter Into Agreement With Such Other Cities or Towns and Villages for Such Service; Providing for Reasonable Rates; and Providing That the Railroad Commission and Other Governmental Agencies Shall Not Have Supervision Over Such Rates and Services.

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

Committee on State Affairs introduced:

Senate Bill No. 211. A Bill for an Act to Authorize Cities, Towns, and Incorporated Villages, and the State, its Subdivisions and Agencies to Cooperate With Housing Authorities and the United States of America by Rendering Services, Conveying or Leasing Property and Providing for Streets, Roads and Other Facilities; and to Declare an Emergency Requiring That This Act Take Effect From the Date of its Passage.

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

Committee on State Affairs introduced:

Senate Bill No. 212. A Bill for an Act Validating, Ratifying, Approving and Confirming Bonds, Warrants and Other Instruments or Obligations Heretofore Issued by Public Bodies of This State for the Purpose of Financing in Whole or in Part Public Works Projects.

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

Committee on State Affairs introduced:

Senate Bill No. 213. A Bill for an Act Providing for the Incorporation of Improvement Authorities; Prescribing the Powers and Duties of Such Authorities; and Authorizing Such Authorities to Engage in the Enterprise of Furnishing Water, Sewerage, Gas or Electric Heat, Light or Power Services, and to Issue Bonds, and Providing for the Payment of Such Bonds.

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

Committee on State Affairs introduced:

Senate Bill No. 214. A Bill for an Act to Authorize Corporate Agencies of the United States and Corporations Receiving Aid from the United States to Exercise the Power of Eminent Domain to Acquire Property for Housing Projects; and to Declare an Emergency Requiring That This Act Take Effect from the Date of Its Passage.

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

Committee on State Affairs introduced:

Senate Bill No. 215. A Bill for an Act to Declare the Necessity of Creating Public Bodies, Corporate and Politic, to Be Known as Housing Authorities to Engage in Slum Clearance and/or projects to Provide Dwelling Accommodations for Persons of Low Income; to Provide for the Creation of Such Housing Authorities; to Define the Powers and Duties of Housing Authorities and to Provide for the Exercise of Such Powers, Including Acquiring Property by Purchase, Gift or Eminent Domain, and Including Borrowing Money, Issuing Revenue and Credit Bonds and Other Obligations, and Giving Security Therefor; to Confer Remedies on Obligees of Housing Authorities; to Provide That the Bonds of the Authority Shall Be Legal Investments; to Provide That Housing Authorities, Their Property and Securities Shall Be Tax Exempt; and to Declare an Emergency Requiring That This Act Take Effect from the Date of Its Passage.

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

Committee on State Affairs introduced:

Senate Bill No. 216. A Bill for an Act Amending and Re-enacting Section 16 of Chapter 196 of the Laws of North Dakota for 1927, and Relating to the Execution, Registration, Certification and Delivery of Bonds Issued by a Municipality.

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

Senator Bonzer introduced:

Senate Bill No. 217. A Bill for an Act to Amend and Re-enact Chapter 220, Session Laws of the State of North Dakota for the Year 1933, Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Summary Reduction of the Same, Relating to Hearings, and Investigations; and Relating to Valuation and/or Revaluation of Property of Public Utility Companies and Corporations by the Board of Railroad Commissioners; Relating to Payment of Expenses

of Such Hearings, and Investigations, and Valuations and/or Revaluations and the Methods of Assessing and Collecting the Same; and Repealing All Acts or Parts of Acts in Conflict Herewith; and Making an Appropriation for the Valuation by Board of Public Commissioners of the Property of the Public Utilities, Subject to the Provisions of Chapter 192 of the Session Laws of 1919; Creating a Revolving Fund.

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

Committee on Irrigation and Drainage introduced:

Senate Bill No. 218. A Bill for an Act Providing That the State and the Several Counties of the State Are Authorized to Acquire by Purchase, Exchange, Gift, Condemnation or Otherwise the Title to Any Land Within the Same Political Subdivision for the Purpose of Establishing Any Public Park or Recreational Area, or for the Purpose of Constructing, Maintaining and Operating Any Water and/or Wildlife Conservation Project; Providing That All Lands to Be Purchased or Exchanged Under Authority of This Act Shall Be Appraised by the Existing Appraisal Agencies of the Parties to the Contract; Providing That Where No Such Appraisal Agency Exists the County Board of Appraisers Shall Determine the Value Thereof, and Providing That No Land Shall Be Purchased for More Than the Appraised Value, nor Shall Any Lands Owned by the State or the Several Counties Be Exchanged Except for Lands of an Equal Appraised Value; Providing That the State of North Dakota Shall Reserve All Mineral Rights to All State Lands Transferred Under Authority of This Act; Providing a Saving Clause; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on Irrigation and Drainage.

Committee on Irrigation and Drainage introduced:

Senate Bill No. 219. A Bill for an Act Providing That No Fee Shall Be Charged or Collected for the Recording or Filing of Any Document Required by the United States or the State of North Dakota for Any Water and/or Wildlife Conservation Project; Repealing All Acts or Parts of Acts in Conflict Herewith, Declaring an Emergency.

Was read the first time and referred to the Committee on Irrigation and Drainage.

Senators Handley and Lowe introduced:

Senate Bill No. 220. A Bill for an Act to Suspend the Operating of Chapter 24 of the Political Code of the State of North Dakota for the Year 1913, Being Sections 1889 to 1902 Both Inclusive of Said Compiled Laws, Relating to the Enumeration of Inhabitants in the State of North Dakota; Declaring an Emergency.

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

Senators Coffey and Miklethun introduced:

Senate Bill No. 221. A Bill for an Act to Amend and Re-enact Section 3583 of the Compiled Laws of North Dakota for 1913, as Amended by Section 2 of Chapter 167 of the Session Laws of the State of North Dakota for 1933, Relating to Terms of Office of Aldermen, and Declaring an Emergency.

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

Senators Coffey and Miklethun introduced:

Senate Bill No. 222. A Bill for an Act to Amend and Re-enact Section 4058 of the Compiled Laws of North Dakota for 1913, as Amended by Section 1 of Chapter 180 of the Session Laws of the State of North Dakota for 1929, Relating to the Organization of a Board of Park Commissioners, Defining the Qualifications, Mode of Election and Term of Office of Such Commissioners and Prescribing the Manner of Filling Vacancies of Said Board, and Declaring an Emergency.

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

Senators Coffey and Miklethun introduced:

Senate Bill No. 223. A Bill for an Act to Amend and Re-enact Section 3666 of the Compiled Laws of North Dakota for 1913, Relating to the Time, Place and Manner of Holding City Elections in Cities Under the City Council Form of Government, and Providing That Elective Officers Serve Until Their Successors Are Elected and Qualify, and Declaring an Emergency.

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

Senator Coffey (by request) introduced:

Senate Bill No. 224. A Bill for an Act to Waive Certain Defects in Crop Listing Affidavits and Allow Insured to Recover Indemnity for Hail Losses Notwithstanding Such Defects.

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

Senator Miklethun moved to recess for ten minutes.

Which motion was lost.

Senator Bonzer asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Bonzer moved that Senate Bills No. 202 to 216 inclusive be referred to the Committee on State Affairs without being printed.

Which motion prevailed.

Senator Bonzer moved that Senate Bill No. 96 be placed on the Calendar for Friday.

Which motion prevailed.

Senator Miklethun moved that Senate Bill No. 44 be amended as follows:

In line 6 of the printed bill after the word "the" insert the words "Supplement to the," after the word "for" in the same line insert the figures "1913" and strike out the following language in lines 6 and 7, "1931, as amended by Chapter 128 of the Session Laws of North Dakota for the Year 1919."

On page 2, line 6, after the word "same" strike out the balance of line 6 and all of lines 7, 8 and 9, up to and including the word "value," capitalizing the letter "P" of the word "provided."

Which motion prevailed.

Senator Fowler moved that Senate Bill No. 44 be placed on the Calendar for Friday.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 74. A Bill for an Act to Provide for the Payment of the Expense of Auditing and Examining the Affairs of the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, the Bank of North Dakota, Including the Farm Loan Department, the State Hail Insurance Department, the Workmen's Compensation Bureau of the State of North Dakota, the Office of the Beer Commissioner of the State of North Dakota, the North Dakota State Regulatory Department, and the North Dakota Teachers Insurance and Retirement Fund, by the State Board of Auditors Pursuant to Section 369-b of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 186 of the Laws of 1933, Designating and Appropriating the Funds From Which Such Payment Shall Be Made; Providing for the Procedure for Such Payment; Providing for the Repeal of Any Acts in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Johnson	Nelson, Grand Fks.
Braaten	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young
Handley	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.
Brostuen	Fredrickson

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 154. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 19 of Chapter 179 of the Session Laws of 1927, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Johnson	Nelson, Grand Fks.
Braaten	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan

Messrs.	Messrs.	Messrs.
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young
Handley	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.
Brostuen	Fredrickson

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Bonzer moved that Senate Bill No. 119 be placed at the foot of the Calendar.

Which motion prevailed.

Senator Wog asked unanimous consent to return to the Ninth Order of Business.

Which request was granted.

FIRST READING OF SENATE BILLS

Senators Wog and Brostuen introduced:

Senate Bill No. 225. A Bill for an Act to Provide for the Incorporation of Cooperative Grazing Associations to Aid in the Conservation, Restoration, Improvement, Development and Utilization of Forage Resources in the State of North Dakota; to Authorize Such Associations to Lease County, State, Federal, or Other Lands for Such Purposes, and to Create Grazing Districts, and to Provide for the Management and Use of Such Lands Which Will Best Conserve, Restore, Improve and Develop the Forage Value Thereof.

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

Committee on Irrigation and Drainage introduced:

Senate Bill No. 226. A Bill for an Act to Amend and Re-enact Sections 8320a13, 8320a14, 8320a19, 8320a20 and 8320a22 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Flood Irrigation Projects.

Was read the first time and referred to the Committee on Irrigation and Drainage.

Senators Bonzer, Fowler and Coffey introduced:

Senate Bill No. 227. A Bill for an Act to Amend and Re-enact Chapter 7429 of the 1913 Compiled Laws of the State of North Dakota, Relating to Service of Summons by Publication.

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

Senators Bonzer, Fowler and Coffey introduced:

Senate Bill No. 228. A Bill for an Act to Provide for the Number of Jurors Required in All Civil Actions in All Courts of Record in the State of North Dakota.

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

Senators Bonzer, Fowler and Coffey introduced:

Senate Bill No. 229. A Bill for an Act Relating to Foreclosure of Mortgage or Other Lien Upon Real Estate Providing for Service of Summons in Actions to Foreclose Mortgage or Other Lien Upon Real Estate; Providing for Personal Service or Service by Publication; Specifying Manner in Which Unknown Defendants and Representatives of Deceased Defendants May Be Joined; Providing That Said Method Shall Be in Addition to Present Remedies.

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

Senators Bonzer, Fowler and Coffey introduced:

Senate Bill No. 230. A Bill for an Act to Amend and Re-enact Section 7745 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Notice to Be Given Upon Sale of Real Property Under Execution; Repealing All Acts or Parts of Acts in Conflict Herewith.

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

The following resolutions were filed with the Secretary of State:

SENATE CONCURRENT RESOLUTION "G"

SENATE CONCURRENT RESOLUTION "I"

COURTESIES OF THE FLOOR

The courtesy of the floor was extended to:

Mr. and Mrs. W. L. Elliott, Kindred; Mrs. F. J. Shurr of Lansford; J. H. Burkhart, Berthold; H. R. Clough, Aaron Kistler, Gordon Hanson and Fosmun Rohe, all of Bowbells.

Senator Erickson moved that the Senate recess until 1:00 o'clock tomorrow.

Which motion prevailed.

The Senate stood recessed.

F. E. TUNELL,
Secretary.

THIRTY-SEVENTH DAY AFTER RECESS AND
THIRTY-EIGHTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 14, 1935.

The Senate convened at 1:00 P. M., pursuant to recess, President pro tem. Marshall presiding.

The President announced the appointment of Senators McDonald, Whelan and Erickson to serve with a like Committee from the House to prepare Memorial exercises for February 22nd.

SECOND READING OF SENATE BILLS

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Subdivision (e) of Section 1 of Chapter 161, Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Gronvold	Mutchler
Brostuen	Handley	Nelson, Barnes
Cain	Johnson	Owings
Coffey	Jones	Peterson
Crandall	Kamrath	Stucke
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lowe	Trout
Erickson	Nelson, Grand Fks.	Young
Kolpin	Strehlow	

So the bill passed and the title was agreed to, and the Emergency Clause declared carried.

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 162 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lind	Thorson
Ettestad	Lynn	Topp
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lowe	Trout
Erickson	Nelson, Grand Fks.	Trovatten

So the bill passed and the title was agreed to, and the Emergency Clause declared carried.

SENATE CONCURRENT RESOLUTION "Q"

Was read the second time.

ROLL CALL

The question being on the adoption of the Resolution, 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.
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lind	Thorson
Ettestad	Lynn	Topp
Fine	Marshall	Vinje
Fo vler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier.	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lowe	Trout
Erickson	Nelson, Grand Fks.	Trovatten

So the resolution was adopted.

Senator Fine moved that Senate Bill No. 156 be amended as follows:

In line 27, page 2 after the first word "or" insert the word "producers."

Which motion prevailed.

Senator Fine moved that the rules be suspended and that Senate Bill No. 156, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 156. A Bill for an Act to Amend and Re-enact Sub-division (d) of Section 1 of Chapter 188 of the Session Laws of 1931, Relating to Regulations of Motor Vehicle Transportation, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Owings
Cain	Jones	Peterson

Messrs.	Messrs.	Messrs.
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lowe	Trout
Erickson	Nelson, Grand F'ks.	

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Cain moved that Senate Bill No. 113 be placed at the foot of the calendar.

Which motion prevailed.

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 138 of the 1933 Session Laws of the State of North Dakota Relating to Hail Tax Refund.

Was read the second time.

ROLL CALL

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.
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.
Bonzer	Nelson, Grand Fks.

So the bill passed and the title was agreed to.

Senate Bill No. 126. A Bill for an Act Declaring All Water and/or Wildlife Conservation Projects, Including Wildlife Reservations, to Be a Public Purpose, Providing That All Lands Within the Ordinary High-water Mark of Navigable Lakes Shall Be Under the Control of the State, Under Its Police Power, for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Authority and Control Over Such Lands Shall Be Vested in the State Engineer, Defining the Term "Ordinary High-water Mark," Providing That All Meandered Lakes Shall Be Declared to Be Navigable Within the Meaning of This Act, Providing a Saving Clause, Repealing All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.
Bonzer	Nelson, Grand Fks.

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 125. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Several Counties to Remove from the Tax Rolls and Declare as Ex-

empt from Taxation All Inundated Land Upon Which the Owner Thereof Has Granted or Shall Hereafter Grant to the United States of America, Its Instrumentalities or Agencies, a Permanent Easement for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Such Inundated Lands Shall Remain Exempt Until Such Time as the Water and/or Wildlife Conservation Projects Shall Have Been Abandoned, Providing That Such Power to Remove from the Tax Rolls or Declare as Exempt Shall Not Attach Until Such Time as the Construction of the Water and/or Wildlife Conservation Projects Shall Have Been Completed, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Gronvold	Mutchler	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Nelson, Grand Fks.

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 124. A Bill for an Act Declaring Water and/or Wildlife Conservation to Be a State Purpose, Providing the Governor and Board of University and School Lands with the Authority to Grant to the United States of America, or to Any of Its Instrumentalities or Agencies; Any and All Easement Rights as Shall Be Required for the Construction, Maintenance and Operation of Water and/or Wildlife Conservation Projects to Be Constructed on the Public Lands of the State of North Dakota, Declaring That Such Water and/or Wildlife Conservation Projects Shall Be Considered

as a Benefit to Said Lands and Not to Diminish the Value or Purchase Price Thereof, Repealing Any and All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lowe	Topp
Eastgate	Lynn	Trout
Erickson	Marshall	Trovatten
Ettestad	Matthaei	Vinje
Fine	McDonald	Watt
Fowler	McGillic	Whelan
Fredrickson	Miklethun	Wog
Greene, Cavalier	Mutchler	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Greene, Stutsman	Lind	Nelson, Grand Fks.

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Owings moved that Senate Bill No. 69 be referred to the Committee on Education.

Which motion prevailed.

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1291, Compiled Laws of 1913, Concerning Elections in Independent School Districts, Placing Control Thereof in the Hands of the Board of Education, and Providing for Special Elections in Such Districts and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Gronvold	Mutchler	Young
Handley	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.
Bonzer	Greene, Stutsman

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Gronvold moved that Senate Bill No. 120 be placed at the foot of the Calendar.

Which motion prevailed.

Senator Cain moved that Senate Bill No. 75 be re-referred to the Committee on Judiciary.

Which motion prevailed.

Senate Bill No. 132. A Bill for an Act Defining Banking Institutions Within the Meaning of This Act; Authorizing Such Banking Institutions to Enter Into Such Contracts, Incur Such Obligations and Generally to do Such Acts as May Be Appropriate or Necessary to Take Advantage of Any and all Memberships, Loans, Subscriptions, Contracts, Grants, Rights or Privileges, Including the Right to Receive and Hold United States Postal Savings Deposits, Which May, at any Time, Be Available or Enure to Said Banking Institutions or Their Depositors, Stockholders, Conservators, Liquidators or Receivers, Under or by Virtue of Any Act, Regulation or Resolution of the Congress of the United States or Any Department, Board, Agency or Officer Thereof; to Aid, Regulate, Foster, Promote or Safeguard Banking Institutions and Depositors, Including the Act Creating the Federal Deposit Insurance Corporation and Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which Said Banking Institutions, Their Stockholders, Depositors, Conservators, Liquidators or Receivers May Take Advantage of, Comply With and Act Upon the Rights and Privileges Hereby Granted to Them, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Fine moved that the Senate do now adjourn.

Which motion prevailed.

THIRTY-EIGHTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 14, 1935

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. Herman G. Johnson.

Roll call: All Senators were 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 Thirty-seventh day and found the same correct.

And recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 14, 1935

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

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 916, of the Compiled Laws of North Dakota for the Year 1913, Pertaining to Payment of Expenses of Delegates to National Conventions.

Which the House has indefinitely postponed.

Also transmit:

House Bill No. 97. A Bill for an Act to Amend and Re-enact Chapter 19 of the Political Code of the Compiled Laws of North Dakota for the Year 1913, Relating to the North Dakota Firemen's Association and Providing an Appropriation for the Use of Such Association in Promoting Regional Fire Schools, and Other Activities of Such Association.

Also,

House Bill No. 156. A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for the Years 1935 and 1936 for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

Also,

House Bill No. 174. A Bill for an Act to Amend and Re-enact Sections 9, 11 and 36 of Chapter 179 of the Session Laws of North Dakota for the Year 1927 as Amended by Sections 4, 5 and 12 of Chapter 160 of the Session Laws of North Dakota of 1933; Having to Do With the Applications for Registration of Motor Vehicles, Duties of Registrar, Registration Cards and Certificate of Application for License Made.

Also,

House Bill No. 122. A Bill for an Act to Provide for Pensions for the Blind, Creating a Pension Fund, Providing for the Levy of Annual Tax, Prescribing Persons to be Pensioned, and Penalties for the Violation Thereof.

Also,

House Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1828 of the Compiled Laws of 1913 and Chapter 78 of the Laws of the State of North Dakota for the Year 1915, and Section 1828 of the 1925 Compiled Laws of North Dakota, and Chapter 241 of the Laws of the State of North Dakota for the Year 1933, Relating to the Use of Lignite Coal in State and County Institutions and Schools,

and to Provide for the Use of Native Lignite Coal, Native Natural Gas, and Native Oil as Fuel in Such Institutions and Schools, and Providing a Penalty for the Violation of This Act.

Also,

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 29 of Chapter 160 of the 1933 Session Laws, Relating to Registration of Motor Vehicles.

Also,

House Bill No. 167. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 111 of the 1933 Session Laws Known as the "Flour Label Act" and Declaring it an Emergency.

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

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A petition presented by Senator Jones, signed, S. M. Bigelow and thirty-two others, against the legislation of hard liquor.

A petition signed, O. J. Flagstad, representing the Aal and Zion Lutheran Churches of Hillsboro, condemning hard liquor legislation.

A petition signed, H. O. Halvorson and three other members of the Northwood Temperance Society, condemning hard liquor legislation.

A petition presented by Senator Erickson, signed, Rev. Herbert Brown and 238 other taxpayers, condemning any hard liquor legislation.

A petition presented by Senator Wog, signed, Mrs. Fletcher, E. Horr and 27 others, condemning hard liquor legislation.

A petition presented by Senator Braaten, signed, Chas. Whelchel of Zion Evangelical Church, Grand Forks, against hard liquor legislation.

A petition presented by Senator Braaten, signed, Mrs. Edith Salt, against hard liquor legislation.

A petition presented by Senator Braaten, signed, E. M. Stone of Bethel Lutheran Church against the sale of hard liquor.

A petition presented by Senator Braaten, signed, E. M. Broen of the Lutheran Bible School, condemning hard liquor legislation.

A petition presented at the desk, signed, Vance H. Webster and two others, against the legalization of hard liquor.

Petitions in the form of one telegram, five letters and five petitions from Traill County, against legalizing hard liquor, were presented by Senator Vinje.

Which were referred to the Committee on Temperance.

A petition presented by Senator Brostuen, signed, Bert Murray, of Farmers Union Local No. 1126, asking a correspondence course for high school students.

A petition presented by Senator Marshall, signed, United Farmers League of Dickey County, regarding education.

A resolution presented by Senator Fine, signed, Mrs. H. M. Anderson and four other members of the Parent-Teachers Association of Warwick, demanding equality in education for all children.

A resolution presented by Senator Fine, signed, Chester P. Larson of Farmers Union Local No. 67, asking for a correspondence course in high school subjects.

A resolution presented by Senator Fine, signed, Clifton Marple, of Farmers Union Local No. 111, asking that a correspondence course in high school subjects be arranged for.

A petition, signed, Tom Johnson of the State Citizens Committee on Education, asking that more money be allowed for education.

A like resolution, signed Hazel Welander, and two others, of Farmers Union Local No. 205.

A resolution presented by Senator Drew, signed, R. C. McKay, of Farmers Union Local No. 810, asking for a correspondence course in high school subjects.

Which were referred to the Committee on Education.

A resolution presented by Senator Fine, signed, O. C. Lansverk, of Farmers Union Local No. 43, regarding taxation.

A petition presented by Senator Brostuen, signed, A. N. Finstad, of the North Dakota Association of Local Creameries, asking support of an equalization and replacement tax.

A petition presented by Senator Marshall, signed, R. H. Rutledge, of the Williston Farm Labor Council, protesting a 50c tax on lignite.

A petition three yards long, presented by Senator Marshall, signed, Farmers Union Local No. 307, asking that motor fuel be mixed with some property taken from farm products.

A petition, signed, A. N. Finstad, of the North Dakota Association of Local Creameries, asking support of an equalization and replacement tax law.

Which were referred to the Committee on Taxes and Tax Laws.

A telegram presented by Senator Cain, signed, R. H. Johnson, and other insurance agents, condemning Senate Bill No. 159.

A telegram, signed, Mrs. James Collins, condemning compulsory hail insurance.

Which were referred to the Committee on Insurance.

A petition presented by Senator Marshall, signed, North Dakota Co-operative Wool Marketing Association, asking for a dog tax and coyote bounty.

Referred to the Committee on Livestock.

A resolution from Farmers Union Local No. 813, asking that the Teachers' Colleges at Mayville and Ellendale be discontinued.

Referred to the Committee on State Affairs.

Nine telegrams were presented by Senator Whelan, urging passage of Senate Bill No. 159, signed by M. K. Lander, W. H. Alexander and E. A. Fladland, each of Grand Forks; A. L. Peterson, Buffalo; Cosgriff and Clemens, Fargo; A. L. Parsons, Lidgerwood; Ray Warner, Fargo; National Bank Insurance Agency of Wahpeton, and J. F. Nichols, Oakes.

Which were referred to the Committee on Insurance.

Nine telegrams were presented by Senator Whelan, urging passage of Senate Bill No. 90, signed by A. C. Idsvoog, Grafton; G. B. Sliter and eight others from Backoo; G. Thorgrimson, Grafton; A. E. Thacker and nine others from Hamilton; R. T. Orourke and 29 others from Cavalier; A. B. Thompson and 13 others from Grafton; C. C. Olson and 8 others from Bathgate, and N. W. Daby from St. Thomas.

Petitions in the form of three telegrams presented by Senator Nelson of Grand Forks, in support of Senate Bill No. 90.

A telegram presented by Senator Lind, signed, Evans Transfer and Storage Company, endorsing Senate Bill No. 90.

Which were referred to the Committee on Highways.

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

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

Senate Bill No. 140. A Bill for an Act Making an Appropriation to the Attorney General to Repay Money Borrowed from The Bank of North Dakota to Pay Expenses Incurred for Fees and Disbursements in Certain Tax Litigations, and Declaring an Emergency.

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

L. O. FREDRICKSON,
Chairman.

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

The Committee on Ways and Means made the following report:

Mr. President: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 104. A Bill for an Act to Prohibit the Employment of Married Women in All State Offices, Departments, Bureaus, Boards, and Commissions; and Providing a Penalty Therefor.

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

In the first line of the title after the word "State" insert the following: "or county."

In line 1, section 1, after the word "state" add the following words, "or county."

In line 2, section 1, after the word "state" add the words "or county".

In line 5 after the word "Dakota" add the words "or any county in said state."

In line 7 after the word "Dakota" add the words "or any county in said state."

In line 4, section 2, after the word "days" strike out the comma and insert in lieu thereof a period; then strike out the balance of said Section.

And when so amended recommend the same do pass.

GUST WOG,
Chairman.

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

The Committee on Ways and Means made the following report:

Mr. President: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 78. A Bill for an Act Declaring Policy and Establishing a State Code of Fair Competition; Providing Penalty for Violation.

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

On page 1, of printed bill, strike out the following language "State Code of Fair Competition" and insert in lieu thereof "North Dakota Industrial Recovery Act".

On page one of printed bill, after the word "A Bill", strike out the following language "For an Act declaring policy and establishing a State Code of Fair Competition; providing penalty for violation." and insert in lieu thereof the following paragraph: "For an Act providing for Relief of Unemployment, organization of industry, removal of burdens from and obstructions to the Free Flow of Commerce, for the establishment of Codes of Fair Competition within the state of North Dakota to provide for the general welfare of our people, and to encourage State and National Recovery by cooperating with the National Government in fostering and enforcing codes of fair competition, and declaring an emergency.

On page 1, of printed bill, after the word "violation", in title of printed bill, insert the following paragraph: "Whereas the members of the Twenty-fourth (24th) Legislative Assembly of the State of North Dakota being cognizant of the wide-spread unemployment in this state, the disorganization of industry due to unfair competitive methods of operation, the burdens upon and obstructions to the free flow of commerce, the low standards of living of our people, and the exploitation of our natural resources, and the necessity of co-operating with the National Government in order to bring about recovery of both the State and the Nation:

Be it enacted by the Legislative Assembly of the State of North Dakota:

On page 1, of printed bill, line 1, strike out the word "Whereas" and insert the following words, "Declaration of Policy". Number the declaration of policy contained in the preamble to Senate Bill Number 78 as Section 1 of the Act, and re-number succeeding sections accordingly.

On page 5, of printed bill, Section 5, line 6, after the word "Act" insert the following: "Section 7. NATIONAL CODES OF FAIR COMPETITION.

(a) National codes of fair competition for trades or industries or subdivisions thereof, approved, issued or prescribed by the President of the United States or by his duly authorized agent, shall be presumed to effectuate the policies declared in Section 1 of this Act and shall be effective as state codes for such trades or industries or subdivisions thereof with the same force and effect as if applied for and approved pursuant to Section 2 hereof.

(b) After the President or his duly authorized agent shall have approved any such code, the provisions of such code shall be effective as the standards of fair competition for such trade or industry or subdivision thereof and any violation of such standards shall be deemed an unfair method of competition and a violation of this Act.

(c) Any code authority administering a national code of fair competition effective as a state code shall have power and duties for the administration of such code corresponding to the powers and duties vested in it as a code authority for the administration of a national code. It is empowered to levy assessments for the support of the administration of the code against members of the trade or industry, or subdivision thereof, subject to such code, when the levy of such assessments has been duly approved by the President of the United States or by his duly authorized agent and to institute actions therefor in its own name in the District courts of this state.

Section 8. AGREEMENTS. Agreements, as hereinafter defined, entered into with, or approved by the President of the United States shall be presumed to effectuate the policies declared in Section 1 of this Act and shall be effective as the standards of fair competition for the persons, organizations, or groups, parties thereto, relating to any trade or industry or subdivision thereof and any violation of any such standards shall be deemed an unfair method of competition and a violation of this Act."

On page 6, Section 9, line 5 of printed bill, after the word "any" insert the word "States".

On page 10, Section 20, line 5 of printed bill, after the word "thereby" insert the following paragraph: "Section 24. DURATION OF ACT. This Act shall remain in effect for a period of two (2) years from the effective date hereof.

And when so amended recommend the same do pass.

GUST WOG,
Chairman.

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

Senator Fowler moved that Senate Bill No. 78 be placed on the calendar for Monday.

Which motion prevailed.

The Committee on Judiciary made the following report:

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

Senate Bill No. 85. A Bill for an Act Constituting the Secretary of State as Agent for Service of Process Upon Non-residents Using or Operating Motor Vehicles on State

Highways Where Damages or Loss to Person or Property Has Resulted from the Use of Such Highways, Fixing Fee for Service, and Keeping of Records.

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

In page one of the printed bill strike out everything after the words "A Bill" and insert in lieu thereof the following language:

"For an Act providing for means and method of obtaining service upon a non-resident using the highways of the State of North Dakota, and providing the time within which such defendant may answer.

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

Section 1. SERVICE UPON NON-RESIDENT.) The use and operation by a non-resident or his agent of a motor vehicle upon and over the highways of the State of North Dakota, shall be deemed an appointment by such non-resident of the Commissioner of Insurance of the State of North Dakota, to be his true and lawful attorney upon whom may be served all legal processes in any action or proceeding against him growing out of such use or operation of a motor vehicle over the highways of this state, resulting in damages or loss to person or property, and said use or operation shall be a signification of his agreement that any such process in any action against him which is so served, shall be of the same legal force and validity as if served upon personally. Service of such process shall be made by serving a copy thereof upon the Commissioner of Insurance or by filing such copy in his office, together with payment of a fee of \$2.00 and such service shall be sufficient service upon the said non-resident; provided, that notice of such service and a copy of the process are within ten days thereafter sent by mail by the plaintiff to the defendant at his last known address and that the plaintiff's affidavit of compliance with the provisions of this Act are attached to the summons.

Section 2. TIME TO ANSWER.) The Court in which the action is pending shall order such continuance as may be necessary to afford the defendant reasonable opportunity to defend any such action. The fee of two dollars paid by the plaintiff to the Commissioner of Insurance at the time of service of such proceedings shall be taxed in his cost if he prevails in the suit. The said Commissioner shall keep a record of all such processes so served which shall show the day and hour of such service.

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain 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. 168. A Bill for an Act Providing for the Deduction From the Assessed Valuation of All Real Property the Balance Due Upon All Bona Fide Mortgages of Record; Providing for the Taxation Upon True Equity of Owner of Real Property.

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

J. P. CAIN,
Chairman.

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

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was re-referred:

Senate Bill No. 141. A Bill for an Act to Repeal Section 9971a1 and Section 9971a2 of the 1925 Supplement to the Compiled Laws of 1913, and as Amended by Chapter 128 of Session Laws of 1931 of the State of North Dakota, Relating to the Drawing of a Bank Check or Draft Without Funds in the Bank to Protect the Same; and Making the Same a Misdemeanor and Providing a Penalty Therefor.

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

J. P. CAIN,
Chairman.

Senator Cain 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. 131. A Bill for an Act Authorizing and Empowering the Governor to Accept a Conveyance in Trust of the Lands Comprising the International Peace Garden to the State of North Dakota; Setting Forth the Terms and Conditions of the Trust; Vesting the Custody, Control, Possession, Supervision, Management and Operation of Such Lands in the Board of Directors of the International Peace Garden, Inc.; Vesting in the State Historical Society General Supervision of Such Lands, and Expressly Empowering the State Historical Society to Co-operate in the Establishment, Promotion and Development of the International Peace Garden for the Purpose of Furthering International Peace Among the Nations of the World; Providing for the Duration of Such Trust, and for the Reconveyance of Said

Land to the International Peace Garden, Inc.; and Repealing All Acts, or Parts of Acts, in Conflict Herewith, and Declaring That an Emergency Exists for the Immediate Enactment of This Act.

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

In line 13 of the title of the printed bill, after the word "Trust" strike out the comma and the following words: "and for the Reconveyance of Said Land to the International Peace Garden, Inc."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain 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. 24. A Bill for an Act to Amend and Re-enact Section 6077 of the Compiled Laws of the State of North Dakota for 1913, as amended by Chapter 139, Session Laws of 1933, Limiting the Rate of Interest on Judgments.

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

J. P. CAIN,
Chairman.

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

SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance and a New Building for the State Hospital for the Insane at Jamestown, North Dakota, and for the Construction and Equipment of a New Building at Said Hospital; Permitting the Use of Labor of Inmates in the Construction and Equipment of Such New Building; Imposing Certain Duties on the Board of Administration in Connection Therewith; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 44. A Bill for an Act Relating to Additional Alternate Exemptions for Persons Engaged in Farming, Dairying, Stockraising.

Also,

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Chapter 163 of the Session Laws of 1933, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles, That May Be Driven and Moved Upon the Highways of the State of North Dakota, and Prescribing Penalty for Violation Thereof, and Declaring an Emergency.

Also,

Senate Bill No. 101. A Bill for an Act to Establish a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Regulating the Sale and Distribution of the Same, Defining Certain Terms, Designating Standard Grades, Providing for an Inspection Service and for the Fixing of Fees and Other Charges and the Disposition of the Same, Defining Violations and Providing Penalties Therefor, Defining Certain Cooperative Functions, Charging Carriers with Certain Responsibilities, Providing for Enforcement and Prosecution, Providing for Effect of Partial Invalidity, and Providing for Administration of the Act Through the State Seed Commissioner and Giving Him Authority to Make Necessary Rules and Regulations, and to Administer Oaths, and to Have Free Access and Power of Seizure, and Providing for Supersedence of This Act.

Also,

Senate Bill No. 138. A Bill for an Act Providing That Surety and Insurance Companies Other Than Life Insurance Companies, Shall Do Business in This State Only Through Duly Licensed Resident Agents, Regulating the Practice of Such Resident Agents, Providing That the Commissioner of Insurance Shall Have the Power to Refuse, Suspend or Revoke Licenses of Such Resident Agents, Authorizing the Commissioner of Insurance to Examine the Records of Surety or Insurance Companies, to Collect Premium Taxes on Surety or Insurance Companies That Have Transacted Business Within the State Without Authority, Providing Penalties for the Violations Thereof, and Repealing Sections 4961, 4962, 4963 and 4964 of the Compiled Laws of North Dakota for 1913 and Chapter 133, of the Session Laws of North Dakota for 1933, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION "P"

A Concurrent Resolution Memorializing Congress to Support House Joint Resolutions Nos. 15, 83, and 86 Introduced in the Congress of the United States by Representative Burdick.

And find the same correctly engrossed.

T. E. WHELAN,
Chairman.

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

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 36. A Bill for an Act to Repeal Sub-sections C and E of Section 1 of Chapter 185, Laws of 1933, and to Amend and Re-enact Section 2 of Chapter 205, Laws of 1931, Relating to the Board of State Capitol Commissioners, and Declaring an Emergency.

Was delivered to the Governor for his approval at the hour of 11:00 o'clock A. M., February 14, 1935.

THOMAS WHELAN,
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. 66. A Bill for an Act to Provide for the Creation of a North Dakota Tax Survey Commission, Defining its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 5. 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 Amendments There-to, and to Meet Other Requirements Prescribed by the Federal Statutes.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

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

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 14, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 74. A Bill for an Act to Provide for the Payment of the Expense of Auditing and Examining the

Affairs of the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, the Bank of North Dakota, including the Farm Loan Department, the State Hail Insurance Department, the Workmen's Compensation Bureau of the State of North Dakota, the Office of the Beer Commissioner of the State of North Dakota, the North Dakota State Regulatory Department, and the North Dakota Teachers Insurance and Retirement Fund, by the State Board of Auditors Pursuant to Section 369-b of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 186 of the Laws of 1933, Designating and Appropriating the Funds From Which Such Payment Shall Be Made; Providing for the Procedure for Such Payment; Providing for the Repeal of Any Acts in Conflict Herewith; and Declaring an Emergency.

Also,

Senate Bill No. 154. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 19 of Chapter 179 of the Session Laws of 1927, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

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

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 14, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

SENATE CONCURRENT RESOLUTION "Q"

Which the Senate has adopted.

Also,

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Subdivision (e) of Section 1 of Chapter 161, Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 162 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 138 of the 1933 Session Laws of the State of North Dakota Relating to Hail Tax Refund.

Also,

Senate Bill No. 126. A Bill for an Act Declaring All Water and/or Wildlife Conservation Projects, Including Wildlife Reservations, to Be a Public Purpose, Providing That All Lands Within the Ordinary High-water Mark of Navigable Lakes Shall Be Under the Control of the State, Under Its Police Power, for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Authority and Control Over Such Lands Shall Be Vested in the State Engineer, Defining the Term "Ordinary High-water Mark," Providing That All Meandered Lakes Shall Be Declared to Be Navigable Within the Meaning of This Act, Providing a Saving Clause, Repealing All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 125. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Several Counties to Remove from the Tax Rolls and Declare as Exempt from Taxation All Inundated Land Upon Which the Owner Thereof Has Granted or Shall Hereafter Grant to the United States of America, Its Instrumentalities or Agencies, a Permanent Easement for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Such Inundated Lands Shall Remain Exempt Until Such Time as the Water and/or Wildlife Conservation Projects Shall Have Been Abandoned, Providing That Such Power to Remove from the Tax Rolls or Declare as Exempt Shall Not Attach Until Such Time as the Construction of the Water and/or Wildlife Conservation Projects Shall Have Been Completed, and Declaring an Emergency.

Also,

Senate Bill No. 124. A Bill for an Act Declaring Water and/or Wildlife Conservation to Be a State Purpose, Providing the Governor and Board of University and School Lands with the Authority to Grant to the United States of America, or to Any of Its Instrumentalities or Agencies, Any and All Easement Rights as Shall Be Required for the Construction, Maintenance and Operation of Water and/or Wildlife Conservation Projects to Be Constructed on the Public Lands of the State of North Dakota, Declaring That Such Water and/or Wildlife Conservation Projects Shall Be Considered as a Benefit to Said Lands and Not to Diminish the Value or Purchase Price Thereof, Repealing Any and All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1291, Compiled Laws of 1913, Concerning Elections in Independent School Districts, Placing Control Thereof in the Hands of the Board of Education, and Providing for Special Elections in Such Districts and Repealing

All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 132. A Bill for an Act Defining Banking Institutions Within the Meaning of This Act; Authorizing Such Banking Institutions to Enter Into Such Contracts, Incur Such Obligations and Generally to do Such Acts as May Be Appropriate or Necessary to Take Advantage of Any and all Memberships, Loans, Subscriptions, Contracts, Grants, Rights or Privileges, Including the Right to Receive and Hold United States Postal Savings Deposits, Which May, at any Time, Be Available or Enure to Said Banking Institutions or Their Depositors, Stockholders, Conservators, Liquidators or Receivers, Under or by Virtue of Any Act, Regulation or Resolution of the Congress of the United States or Any Department, Board, Agency or Officer Thereof; to Aid, Regulate, Foster, Promote or Safeguard Banking Institutions and Depositors, Including the Act Creating the Federal Deposit Insurance Corporation and Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which Said Banking Institutions, Their Stockholders, Depositors, Conservators, Liquidators or Receivers May Take Advantage of, Comply With and Act Upon the Rights and Privileges Hereby Granted to Them, and Declaring an Emergency.

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

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 14, 1935.

Mr. Speaker: I have the honor to inform you that the President has appointed as a committee to serve with a like committee from the House to prepare a Joint Memorial program for February 22, 1935, Senators McDonald, Whelan and Erickson.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Fine asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Fine moved that the Senate proceed to the Thirteenth Order of Business.

Which motion prevailed.

FIRST READING OF HOUSE BILLS

House Bill No. 3. A Bill for an Act to Amend and Re-enact Section 6072 of the Supplement to the 1913 Compiled Laws of North Dakota.

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

House Bill No. 126. A Bill for an Act to Amend and Re-enact Section 7730 of the Compiled Laws of North Dakota for 1913, Defining Absolute Exemptions.

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

House Bill No. 133. A Bill for an Act Authorizing Judges of the District Court to Request the Attorney General to Perform Certain Duties Relating to Criminal Matters, Providing for Payment of Expenses in Connection Therewith, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

House Bill No. 93. A Bill for an Act to Amend and Re-enact Section 6756 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Form of Chattel Mortgages.

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

House Bill No. 7. A Bill For an Act to Provide for the Weighing, Grading, Feeding, Docking and Watering of Live-stock at Packing Plants, Slaughtering Houses and Concentration Points.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 5. A Bill for an Act to Amend and Re-enact Section 2 and to Repeal Sections 3 and 4, Chapter 138, Session Laws of North Dakota for the Year 1929.

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

House Bill No. 140. A Bill for an Act Providing for the Regulation of Aeronautics Within this State; Providing for Uniformity with Federal Laws Regulating Aeronautics; Creating a State Aeronautics Commission; Providing the Powers and Duties of Such Commission; Providing for the Promulgation and Issuance of Rules and Regulations by Such Commission.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 6077 of the 1913 Compiled Laws of the State of North Dakota Relating to the Rate of Interest on Judgments.

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

House Bill No. 25. 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 time and referred to the Committee on Appropriations.

House Bill No. 32. 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 Chapters 26 and 152, Session Laws of 1915, the Same Being Sections 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

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

House Bill No. 67. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerkhire, Postage and Travel Expense of the Office of Department of Agriculture and Labor.

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

House Bill No. 81. A Bill for an Act Making an Emergency Appropriation to Provide for the Payment of the Salaries of Assistant Dairy Commissioners, Official Tester, Clerkhire, Office Supplies, Printing, Postage, Travel Expenses, Auto Exchange and Miscellaneous Expenses for the Office of Dairy Commissioner, and Declaring an Emergency.

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

House Bill No. 83. A Bill for an Act Making an Appropriation for the Purchase of Certain Lots Within the Plat of Capitol Park Adjoining the Capitol Buildings in the City of Bismarck, North Dakota, and Providing for Method of Disbursements Thereof.

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

House Bill No. 84. A Bill for an Act Making an Appropriation for the Payment of Rent Due for Offices Occupied by State Officers and for Which no Prior Appropriation was Made Available, and Declaring an Emergency.

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

House Bill No. 87. A Bill for an Act to Amend and Re-enact Chapter 264 of the Session Laws of the State of North Dakota for the Year 1931, Providing for the Appointment of a Superintendent, of State Hospital for the Insane, Assistant Medical Superintendents, and Assistant Chiropractic Super-

intendents, Salaries of Superintendents and Providing Method of Handling Patients, and Provision for Preference as to Type of Treatment by Nearest Relative or General Personal Guardian, and Declaring an Emergency.

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

House Bill No. 111. A Bill for an Act Entitled an Act to Empower the Governing Boards of Municipalities to Compromise and Fund Judgment Liabilities; to Issue Bonds in Satisfaction of Judgments Reduced in Amount by Compromise and Provide for the Form, Execution, Registration and Payment of the Same; and to Invest Municipalities with an Interest in Uncollected Special Assessments in Certain Cases.

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

House Bill No. 146. A Bill for an Act Providing for the Revision and Passage of Village Ordinances.

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

House Bill No. 168. A Bill for an Act to Require the Appraising of the Use of Butter Substitutes on Popcorn Sold or Offered for Sale and Providing Penalties for Violation.

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

House Bill No. 174. A Bill for an Act to Amend and Re-enact Sections 9, 11 and 36 of Chapter 179 of the Session Laws of North Dakota for the Year 1927 as Amended by Sections 4, 5 and 12 of Chapter 160 of the Session Laws of North Dakota of 1933; Having to Do With the Applications for Registration of Motor Vehicles, Duties of Registrar, Registration Cards and Certificate of Application for License Made.

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

House Bill No. 156. A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for the Years 1935 and 1936 for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

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

House Bill No. 97. A Bill for an Act to Amend and Re-enact Chapter 19 of the Political Code of the Compiled Laws of North Dakota for the Year 1913, Relating to the North Dakota Firemen's Association and Providing an Appropriation for the Use of Such Association in Promoting Regional Fire Schools, and Other Activities of Such Association.

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

Senator Watt moved that House Bill No. 7 be re-referred to the Committee on Livestock.

Which motion was lost.

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

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

Senate Bill No. 184. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys and Girls Club Work at State and District Fairs.

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

In lines 2 and 3 of the printed bill strike out the following language and figures "Six Thousand Dollars (\$6,000.00)" and insert in lieu thereof the following, "Three Thousand Dollars (\$3,000.00)".

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 149. A Bill for an Act to Create a State Planning Board, Prescribing the Powers and Duties Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

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

L. O. FREDRICKSON,
Chairman.

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

The Committee on Appropriations made the following report:

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

Senate Bill No. 150. A Bill for an Act Empowering the State Historical Society to Acquire Lands for State Parks, State Monuments, and State Recreation Reserves, to Supervise, Control and Maintain Such State Parks, State Monuments, and State Recreation Reserves, Providing for the Appointment of a State Parks Committee, and Making an Appropriation Therefor.

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

L. O. FREDRICKSON,
Chairman.

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

Senator Fredrickson moved that Committee report on Senate Bill No. 148 be re-referred to the Committee on Appropriations.

Which motion prevailed.

SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 156. A Bill for an Act to Amend and Re-enact Sub-division (d) of Section 1 of Chapter 188 of the Session Laws of 1931, Relating to Regulations of Motor Vehicle Transportation, and Declaring an Emergency.

And find the same correctly engrossed.

T. E. WHELAN,
Chairman.

Senator Whelan 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. 5. 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 Amendments There-to, and to Meet Other Requirements Prescribed by the Federal Statutes.

Also,

Senate Bill No. 66. A Bill for an Act to Provide for the

Creation of a North Dakota Tax Survey Commission, Defining its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

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

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 14, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 5. 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 Amendments Thereto, and to Meet Other Requirements Prescribed by the Federal Statutes.

Also,

Senate Bill No. 66. A Bill for an Act to Provide for the Creation of a North Dakota Tax Survey Commission, Defining its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

Also,

Senate Bill No. 156. A Bill for an Act to Amend and Re-enact Sub-division (d) of Section 1 of Chapter 188 of the Session Laws of 1931, Relating to Regulations of Motor Vehicle Transportation, and Declaring an Emergency.

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

Very respectfully,

F. E. TUNNELL,
Secretary.

FIRST READING OF SENATE BILLS

Senators Fine and Marshall introduced:

Senate Bill No. 231. A Bill for an Act Amending and Re-enacting Sections 1495, and 1526 of the Compiled Laws of the State of North Dakota for the Year 1913, and Amending and Re-enacting Sections 1518, 1521 and 1523, of the Compiled Laws of the State of North Dakota for the Year 1919 as Amended by Chapter 161 of the Session Laws of the State of North Dakota for the Year 1919, Relating to and Modifying the Provisions of the Teachers' Insurance and

Retirement Fund, and Repealing Section 1522 of the Compiled Laws of the State of North Dakota for the Year 1913.

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

Committee on Appropriations introduced:

Senate Bill No. 232. A Bill for an Act to Make an Appropriation to Provide for Payment of a Deficit in the Maintenance of the National Guard Fund.

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

Senators Kolpin, Lemke and Greene of Stutsman introduced:

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith and Making the Same an Emergency Measure.

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

Senator Crandall introduced:

Senate Bill No. 234. A Bill for an Act to Legalize and Validate Real Estate Mortgage Foreclosure Sales Made Prior to January 1, 1935, Whether or Not Power of Attorney or Attorney's Affidavit or Notice of Intention to Foreclose Has Been Filed, Recorded, Given or Served, as Provided by the Law in Force at the Time of Such Foreclosure and Sale Thereunder Were Made, and Limiting the Time Within Which Actions May Be Commenced or Defenses Interposed in Relation Thereto.

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

Senator McDonald introduced:

Senate Bill No. 235. A Bill for an Act to Amend and Re-enact Sections 994, 997, 998 and 1001 of the 1913 Compiled Laws of the State of North Dakota, as Amended, Relating to Absent Voter Ballots; Repealing All Acts in Conflict Herewith.

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

SECOND READING OF SENATE BILLS

Senate Bill No. 133. A Bill for an Act Authorizing Banking Institutions to Issue and Sell Capital Notes or Debentures and Preferred Stock; Prescribing, Defining and Reg-

ulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which the Same May Be Issued and Sold, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Johnson	Nelson, Grand Fks.
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Eastgate	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Greene, Cavalier	McDonald	Whelan
Greene, Stutsman	McGillic	Wog
Gronvold	Mutchler	Young
Handley	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.
Miklethun	Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Dubay	Fredrickson

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Whelan moved that Senate Bill No. 134 be laid over two legislative days.

Which motion prevailed.

Senator Miklethun moved that further consideration of Senate Bill No. 54 be indefinitely postponed.

Which motion was seconded.

Senator Bonzer moved as a substitute motion that Senate Bill No. 54 be laid over until Monday.

Which motion was lost.

The question being on the motion of Senator Miklethun, the motion prevailed and Senate Bill No. 54 was indefinitely postponed.

Senator Bonzer moved that the vote by which Senate Bill No. 54 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Eastgate moved that Senate Bill No. 52 be laid over until Monday for the purpose of securing an opinion of the Attorney General as to the constitutionality of the appropriation.

Which motion was lost.

Senator Handley moved that Senate Bill No. 52 be indefinitely postponed.

Which motion was lost.

Senate Bill No. 52. A Bill for an Act Creating a Board Known as the "North Dakota Commissioners of the Federated Cooperative Agricultural Association" and Providing for Cooperation With Other Surplus Producing States of the Union, Describing the Manner of Forming the Same, the Purposes Thereof, Making an Appropriation Therefor, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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 affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Mutchler
Braaten	Kamrath	Nelson, Barnes
Brostuen	Kolpin	Owings
Cain	Kroeber	Peterson
Coffey	Lemke	Strehlow
Drew	Lind	Stucke
Erickson	Lynn	Thorson
Fine	Marshall	Topp
Fowler	Matthaei	Trout
Fredrickson	McDonald	Vinje
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Crandall	Handley	Trovatten
Eastgate	Jones	Watt
Ettestad	Low	Young
Gronvold	Nelson, Grand Fks.	

Absent and not voting:

Messrs.	Messrs.
Dubay	Thatcher

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator McDonald 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.

Senate Bill No. 139. A Bill for an Act Making an Appropriation to Meet a Deficiency in the Appropriations Made to the Board of Pardons for the Biennium period expiring June 30, 1935, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 34; nays, 13; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Brostuen	Handley	Nelson, Barnes
Cain	Kamrath	Nelson, Grand Fks.
Coffey	Kolpin	Owings
Crandall	Lind	Peterson
Drew	Lynn	Strehlow
Dubay	Marshall	Topp
Eastgate	Matthaei	Trovatten
Fowler	McDonald	Vinje
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	Stucke
Braaten	Kroeber	Thorson
Erickson	Lemke	Trout
Ettestad	Lowe	Watt
Johnson		

Absent and not voting:

Messrs.	Messrs.
Fine	Thatcher

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 137. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 89 of the Session Laws of the State of North Dakota for the Year 1933, Relating to Prohibition Against Corporation Farming, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.
Fine	Thatcher

So the bill passed and the title was agreed to, and the emergency clause declared carried.

SENATE CONCURRENT RESOLUTION "M"

Was read the second time.

ROLL CALL

The question being on the adoption of the 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog

Messrs.	Messrs.	Messrs.
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.
Fine	Thatcher

So the resolution was adopted.

Senator Bonzer moved that Senate Bill No. 11 be placed at the foot of the calendar.

Which motion prevailed.

SENATE CONCURRENT RESOLUTION "R"

Was read the second time.

ROLL CALL

The question being on adoption of the Resolution, 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.
Bonzer	Handley	Miklethun
Brostuen	Johnson	Mutchler
Coffey	Jones	Nelson, Barnes
Drew	Kolpin	Owings
Dubay	Kroeber	Peterson
Erickson	Lemke	Stucke
Ettestad	Lind	Thorson
Fine	Marshall	Topp
Fredrickson	Matthæi	Vinje
Greene, Cavalier	McDonald	Wog
Greene, Stutsman		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Kamrath	Strehlow
Cain	Lowe	Trovatten
Crandall	Lynn	Watt
Eastgate	McGillie	Whelan
Fowler	Nelson, Grand Fks.	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.
Thatcher	Trout

So the resolution was adopted.

Senator Miklethun moved that the vote by which Senate Concurrent Resolution "R" was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Matthaei moved that Senate Bill No. 160 be referred to the Committee on State Affairs.

Which motion prevailed.

Senate Bill No. 128. A Bill for an Act to Promote the Objects of the Act of Congress of the United States Entitled, "National Housing Act," approved June 27, 1934, and Acts Amendatory Thereof or Supplemental Thereto, by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, and Insurance Companies, to Make Loans Pursuant to Title I and II of the National Housing Act, and by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Sub-divisions, and Institutions and Agencies Thereof, and All Other Persons, Associations and Corporations, Subject to the Laws of This State, to Invest in Mortgages Insured, and in Debentures Issued, by the Federal Housing Administrator, and to Invest in Securities of National Mortgage Associations or Similar National Mortgage Credit Institutions Now or Hereafter Organized Under Title III of the National Housing Act, and by Excepting Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Sub-divisions, and Institutions and Agencies Thereof, and All Other Persons, and Associations, Subject to the Laws of This State from the Application of Laws of This State Requiring Security Upon Which Loans or Investments May Be Made, or Limiting Making of Loans to Shareholders or Members of the Lender, or Prescribing the Nature, Amount or Form of Such Security, or Limiting or Prescribing the Interest Rates Upon Loans or Investments, or the Period for Which Loans or Investments May Be Made, Provided Such Loans, Securities or Investments Are Insured by the Federal Housing Administrator, and Providing for Invalidity, and Declaring an Emergency to Exist.

Was read the second time.

ROLL CALL

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.
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Lemke	Stucke
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Fine	Marshall	Trovatten

Messrs.	Messrs.	Messrs.
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Kroeber
Drew		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ettestad	Nelson, Grand Fks.	Thatcher

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Bonzer: "I am going to vote 'no' because I have had no explanation of this Bill."

Senator Bonzer moved that Senate Bill No. 46 be placed at the foot of the Calendar.

Which motion prevailed.

Senator Bonzer moved that Senate Bill No. 129 be placed at the foot of the Calendar.

Which motion was lost.

Senator Cain moved that the vote by which the motion of Senator Bonzer was lost be reconsidered.

Senator Bonzer withdrew his motion.

Senate Bill No. 129. A Bill for an Act Providing for the Exemption of the Homestead as Defined by Law from Forced Sale for Payment of Debts, with Certain Exceptions and Prohibiting the Mortgaging or Incumbering of the Homestead, with Certain Exceptions.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, 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.
Bonzer	Jones	Nelson, Barnes
Braaten	Kamrath	Owings
Brostuen	Kolpin	Peterson
Dubay	Kroeber	Stucke
Erickson	Lemke	Thorson
Fine	Lind	Topp
Fredrickson	Marshall	Trout

Greene, Cavalier	Matthaei	Vinje
Greene, Stutsman	McDonald	Whelan
Handley	Miklethun	Wog
Johnson	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Fowler	Strehlow
Coffey	Gronvold	Trovatten
Crandall	Lowe	Watt
Drew	Lynn	Young
Eastgate	McGillic	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ettestad	Nelson, Grand F'ks.	Thatcher

So the bill passed and the title was agreed to.

Senator Bonzer moved that the vote by which Senate Bill No. 129 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 14, 1935.

Mr. President: I have the honor to inform you that the Speaker has appointed as a committee to serve with a like committee from the Senate to prepare a Joint Memorial program for February 22, 1935, Representatives Scholl, Twichell and Fedje.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Bonzer moved that Senate Bill No. 67 be placed at the foot of the Calendar.

Which motion prevailed.

Senator Erickson moved that Senate Bill No. 159 be re-referred to the Committee on Insurance.

Which motion prevailed.

Senator Matthaei moved that Senate Bill No. 98 be placed at the foot of the Calendar.

Which motion prevailed.

Senator Coffey moved that Senate Bill No. 97 be amended as follows:

The words "Chapter 195 of the Session Laws of North

Dakota for 1927 as amended and re-enacted by" be stricken from the title and the same words be stricken from Section 5 of the Bill.

Which motion prevailed.

Senator Coffey moved that the rules be suspended and that Senate Bill No. 97, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 97. A Bill for an Act Relating to Re-funding Special Improvement Warrants, Repealing Chapter 195 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 178 of the Session Laws of North Dakota for 1929 and All Other Acts in Conflict Herewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Jones	Nelson, Grand Fks.
Braaten	Kamrath	Owings
Brostuen	Kolpin	Peterson
Cain	Kroeber	Strehlow
Coffey	Lemke	Stucke
Crandall	Lowe	Thorson
Drew	Lynn	Topp
Dubay	Marshall	Trout
Eastgate	Matthaei	Trovatten
Ettestad	McDonald	Vinje
Fowler	McGillic	Watt
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Mutchler	Wog
Gronvold	Nelson, Barnes	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Greene, Stutsman	Lind
Fine	Johnson	Thatcher

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Cain moved that Senate Bill No. 79 be placed at the foot of the Calendar.

Which motion prevailed.

Senator Matthaei moved that the Senate proceed to the Sixteenth Order of Business.

Which motion prevailed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Sexten Norlin, Menoken; Harry Crouch, J. A. Johnson, Turtle Lake; I. J. Parkinson, A. L. Diebold, Willow City; R. A. Dotzenrod, John Porkomy, Wyndmere; Henry Field, Wahpeton; John Dacosen, Mrs. James McGillis, James Noakes, Mandan; M. T. Lillehaugen, C. Theodore Nelson, Brocklet; A. G. Sundquist, Aneta; Carl Johnson, Thorval Stavens, Hatton; Dwight Hagen, Watford City; Mr. and Mrs. H. E. Ellickson, Charlson; E. Holt, Sanish; Rev. Carl I. Sauer, Kenmare; Rev. E. Bibelheimer, Cathay; Rev. and Mrs. R. Sigmund, Fessenden; Mr. and Mrs. Harry Kolpin, Mrs. George Kolpin, Frank Olson, Sutton; Mr. and Mrs. Oscar Nelson, Wimbledon; Mrs. Otto Bruns, Binford; Theo. Stone, Bjor Fugalstedt, Cooperstown; P. M. Clark, L. M. Rockne, W. W. Nicholson, Father J. J. Heinz, Fred F. Page, Earl Abrahamson, Oran Short and Wm. Clifford, all of Mohall; Alfred Offerdahl, Edgar Offerdahl, Severt Pladson, Ernest Sander, all of Hatton; Corlis Swenson, Northwood; Mrs. J. D. Ames, Oakes; Mrs. Franz Hanson, Stirum; Miss Maude Hample, Oakes; Mrs. Hans Dyste and Miss Dolores Dyste, Forman; Mrs. Arend Hoffman and Miss Imber Hoffman, Rutland.

Senator Matthaei moved that the Senate recess until 1:00 o'clock tomorrow.

Which motion prevailed.

The Senate stood recessed.

F. E. TUNELL,
Secretary.

THIRTY-EIGHTH DAY AFTER RECESS AND
THE THIRTY-NINTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 15, 1935.

The Senate convened at 1:00 P. M., pursuant to recess,
President pro tem. Marshall presiding.

SECOND READING OF SENATE BILLS

Senator Bonzer moved to withdraw Senate Bill No. 117.

Which motion prevailed.

Senator Bonzer moved to withdraw Senate Bill No. 190.

Which motion prevailed.

Senate Bill No. 163. A Bill for an Act Making an Appropriation to the University of North Dakota to Meet a Deficiency in the Appropriation for the Biennium Expiring June 30, 1935, for the Public Health Laboratories; and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout

Messrs.	Messrs.	Messrs.
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lemke	Thatcher	Trovatten

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Bonzer moved that Senate Bill No. 17 be laid over three days.

Which motion prevailed.

Senator Whelan moved that Senate Bill No. 101 be laid over until Monday.

Which motion prevailed.

SENATE CONCURRENT RESOLUTION "P"

Was read the second time.

ROLL CALL

The question being on the adoption of the Resolution, 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.
Bonzer	Greene, Stutsman	Mutchler
Braaten	Gronvold	Nelson, Barnes
Brostuen	Handley	Nelson, Grand Fks.
Cain	Johnson	Owings
Coffey	Jones	Peterson
Crandall	Kamrath	Strehlow
Drew	Kolpin	Stucke
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young

Absent and not voting:

Messrs.	Messrs.
Kroeber	Thatcher
Lemke	Trovatten

So the Resolution was adopted.

Senator Miklethun moved that Senate Bill No. 90 be amended as follows:

Change the words "thirty-five thousand" in subdivision (f) to read "thirty thousand."

Senator Bonzer moved as a substitute motion that Senate Bill No. 90 be left as amended by the committee.

Which motion prevailed.

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Chapter 163 of the Session Laws of 1933, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles, That May Be Driven and Moved Upon the Highways of the State of North Dakota, and Prescribing Penalty for Violation Thereof.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Topp
Dubay	Lind	Trout
Eastgate	Lowe	Vinje
Erickson	Lynn	Watt
Ettestad	Marshall	Whelan
Fowler	McDonald	Wog
Greene, Cavalier	McGillic	Young
Gronvold	Miklethun	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Matthaei	Nelson, Barnes
Fredrickson	Mutchler	Thorson
Greene, Stutsman		

Absent and not voting:

Messrs.	Messrs.
Fine	Thatcher
Lemke	Trovatten

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Bonzer moved that the vote by which Senate Bill

No. 90 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Bonzer moved that Senate Bill No. 119 be referred to the Committee on Highways.

Which motion prevailed.

Senate Bill No. 138. A Bill for an Act Providing That Surety and Insurance Companies Other Than Life Insurance Companies, Shall Do Business in This State Only Through Duly Licensed Resident Agents, Regulating the Practice of Such Resident Agents, Providing That the Commissioner of Insurance Shall Have the Power to Refuse, Suspend or Revoke Licenses of Such Resident Agents, Authorizing the Commissioner of Insurance to Examine the Records of Surety or Insurance Companies, to Collect Premium Taxes on Surety or Insurance Companies That Have Transacted Business Within the State Without Authority, Providing Penalties for the Violations Thereof, and Repealing Sections 4961, 4962, 4963 and 4964 of the Compiled Laws of North Dakota for 1913 and Chapter 133, of the Session Laws of North Dakota for 1933.

Was read the second time.

ROLL CALL

The question being an 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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lemke	Thatcher	Trovatten

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 113. A Bill for an Act Amending and Re-enacting Section 1 of Chapter 267 of the 1933 Session Laws Relating to the Duty of the County Treasurer to Receive County Warrants in Payment of Certain Taxes, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lemke	Thatcher	Trovatten

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Peterson moved that Senate Bill No. 120 be amended as follows:

Strike out the words "the State" in line seven, Section one.

Which motion prevailed.

Senator Peterson moved that the rules be suspended and that Senate Bill No. 120, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 120. A Bill for an Act to Amend and Re-enact Section 2 of That Certain Initiated Law Entitled, "An Act Declaring Mortgages on Growing and Unharvested Crops to be Against the Public Policy of This State, and

Abolishing the Same." Approved and Adopted by the Electors at the June 29th, 1932, Primary Election, Repealing Chapter 150, Session Laws of 1933, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 42; nays, 4; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Miklethun
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lind	Thorson
Erickson	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog

Those voting in the negative were:

Messrs.	Messrs.
Eastgate	Nelson, Grand Fks.
Gronvold	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lemke	Thatcher	Trovatten

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator McDonald moved that Senate Bill No. 11 be indefinitely postponed.

Which motion was lost.

Senator Greene of Stutsman moved that Senate Bill No. 11 be deferred until Monday.

Which motion prevailed.

Senator Bonzer moved that Senate Bill No. 46 be indefinitely postponed.

Which motion prevailed and Senate Bill No. 46 was indefinitely postponed.

Senator Miklethun moved that Senate Bill No. 67 be

amended as follows: "In the title of the Bill in line 4 after the word "encumbered" insert the following language: "with certain exceptions".

In Section one, line six after the word "given" strike out the comma and insert a semi-colon with the following language: "but the provisions of this Act shall not apply to any buildings, windmills or other improvements purchased or constructed in whole or in part, with the proceeds of any mortgage, or proceeds from any insurance for damage or destruction of any buildings, windmills, or other improvements that existed on the real property at the time the mortgage was given;"

Senator Bonzer moved as a substitute motion that Senate Bill No. 67 be indefinitely postponed.

Which motion prevailed and Senate Bill No. 67 was indefinitely postponed.

Senator Coffey moved that Senate Bill No. 98 be laid over one legislative day.

Which motion prevailed.

Senator Bonzer moved that the Senate do now adjourn.

Which motion prevailed.

THIRTY-NINTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 15, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. Herman G. Johnson.

Roll Call: All Senators were present except Senator Lemke.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 15, 1935.

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

Senate Bill No. 10. A Bill for an Act Making an Appropriation to Pay Expenses of Erecting Headstones Over the Graves of Soldiers, Sailors, and Marines of the United States War of the Rebellion.

Also,

Senate Bill No. 72. A Bill for an Act to Amend and Re-enact Section 922, Compiled Laws of 1913, Relating to Posting of Notices of Primary Election.

Also,

Senate Bill No. 4. A Bill for an Act Making an Appropriation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

Also,

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Also,

Senate Bill No. 7. 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.

Also,

Senate Bill No. 9. 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 Section 11302 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 82. A Bill for an Act to Amend and Re-enact Section 2203, Supplement to the Compiled Laws of 1913, Providing for the Assignment of Tax Sale Certificates Held by the County, Amount to Be Paid for an Assignment Thereof, and Prescribing the Form of Such Assignment.

Which the House has passed unchanged.

Also,

SENATE CONCURRENT RESOLUTION "K".

Which the House has adopted.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 15, 1935.

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

House Bill No. 139. A Bill for an Act to Amend and Re-enact Sections 2003a1 and 2003a2 of the 1925 Supplement to the 1913 Compiled Laws Relating to the Cutting of Noxious Weeds on Highways.

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

Also return:

Senate Bill No. 5. 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 Amendments There-to, and to Meet Other Requirements Prescribed by the Federal Statutes.

Also,

Senate Bill No. 66. A Bill for an Act to Provide for the Creation of a North Dakota Tax Survey Commission, Defining its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-Seventh day after recess and Thirty-Eighth day and recommend that the same be corrected as follows:

On page 39, in line 6 from the bottom, correct spelling of the word "Senator".

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A petition presented by Senator Strehlow, signed B. H. Schneider, asking support of House Bill No. 7 and a correspondence course for high school students.

A resolution presented by Senator Fowler, signed, R. E. Thompson and 25 others asking for certain school legislation.

A resolution presented by Senator Marshall, signed, Willard Elorum of the Farmers Union of Devils Lake, asking that a correspondence course be arranged for in high school subjects.

A resolution, presented by Senator Jones, signed, Ray Larson, of Farmers Union Local No. 665, asking for a correspondence course in high school subjects.

A petition was presented by Senator Whelan, signed, Joan Hicklethier and 107 others regarding educational legislation.

Which were referred to the Committee on Education.

A petition presented at the desk, signed, James Anderson, and 36 others, asking that no hard liquor law be passed.

A resolution presented by Senator Thatcher, signed, Clarence Routledge and 60 others, asking that hard liquor be not legalized in the state.

A petition, presented at the desk, signed Mrs. Frances Miller and 84 others, against the legalization of hard liquor.

Which were referred to the Committee on Temperance.

A resolution presented at the desk, signed, D. D. Riley, president of the Minot Taxpayers association, asking for a ballot system of proportionate representation.

Referred to the Committee on Elections.

A petition presented at the desk, signed, Franklin Pueppke, dealer in Cass county, asking that Senate Bill 118 be killed as unfair.

Referred to the Committee on State Affairs.

A petition was presented by Senator Fredrickson, signed H. T. Quanbeck, president of a school board, regarding tax burdens.

Referred to the Committee on Taxes and Tax Laws.

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. 97. A Bill for an Act Relating to Refunding Special Improvement Warrants, Repealing Chapter 178 of the Session Laws of North Dakota for 1929 and All Other Acts in Conflict Herewith and Declaring an Emergency.

And find the same correctly re-engrossed.

Also,

Senate Bill No. 78. A Bill for an Act Providing for Relief of Unemployment, Organization of Industry, Removal of Burdens From and Obstructions to the Free Flow of Commerce, for the Establishment of Codes of Fair Competition Within the State of North Dakota to Provide for the General Welfare of Our People, and to Encourage State and National Recovery by Cooperating With the National Gov-

ernment in Fostering and Enforcing Codes of Fair Competition, and Declaring an Emergency.

Also,

Senate Bill No. 85. A Bill for an Act Providing for Means and Method of Obtaining Service Upon a Non-resident Using the Highways of the State of North Dakota, and Providing the Time Within Which Such Defendant May Answer.

Also,

Senate Bill No. 104. A Bill for an Act to Prohibit the Employment of Married Women in All State or County Offices, Departments, Bureaus, Boards, and Commissions; and Providing a Penalty Therefor.

Also,

Senate Bill No. 131. A Bill for an Act Authorizing and Empowering the Governor to Accept a Conveyance in Trust of the Lands Comprising the International Peace Garden to the State of North Dakota; Setting Forth the Terms and Conditions of the Trust; Vesting the Custody, Control, Possession, Supervision, Management and Operation of Such Lands in the Board of Directors of the International Peace Garden, Inc.; Vesting in the State Historical Society General Supervision of Such Lands, and Expressly Empowering the State Historical Society to Co-operate in the Establishment, Promotion and Development of the International Peace Garden for the Purpose of Furthering International Peace Among the Nations of the World; Providing for the Duration of Such Trust, and Repealing All Acts, or Parts of Acts, in Conflict Herewith, and Declaring That an Emergency Exists for the Immediate Enactment of This Act.

Also,

Senate Bill No. 184. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys and Girls Club Work at State and District Fairs.

And find the same correctly engrossed.

T. E. WHELAN,
Chairman.

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

REPORT OF STANDING COMMITTEES

The Committee on Insurance made the following report:

Mr. President: Your Committee on Insurance to whom was referred:

Senate Bill No. 45. A Bill for an Act Providing for Each Life Insurance Company Now Engaged or That May Engage in Transacting Business of Life Insurance in This State, Shall Invest and Keep Invested in North Dakota, Securities and North Dakota Real Estate a Sum of Money

Equal to at Least Seventy-five Per Cent of the Aggregate Amount of Legal Reserve; Providing How Investments Shall Be Made; for an Occupation Tax; Report Showing Amount of Reserve and Gross Receipts; Requiring Taxes to Be Paid Before Certificate Issued; Providing Penalties for Failure to Renew Certificate; Authorizing Commissioner to Revoke Certificate; and Deposit by Domestic Company; Repealing All Acts or Parts of Acts in Conflict With This Act.

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

W. E. MATTHAEI,
Chairman.

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

The Committee on Cities and Municipal Corporations made the following report:

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

Senate Bill No. 114. A Bill for an Act Relating to Funding and Refunding Existing Indebtedness of Municipalities and Declaring an Emergency.

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

In Line 8 of Section 1 after the word "contracts" insert the word "judgments."

In line 9 of Section 1 after the word "general" insert the words "or special."

In line 35 of Section 4, strike out the word "third" and insert in lieu thereof the word "fifth."

In line 31 of Section 6, strike out the word "may" and insert in lieu thereof the word "shall."

In line 32, of Section 6 after the word "all," strike out the words "or any part."

In line 33 of Section 6 after the word "bonds," strike out the word "or" and insert the following language: "and ratio of outstanding taxes against the ratio of."

And when so amended recommend the same do pass.

G. A. JONES,
Chairman.

Senator Jones moved that the report be adopted.

Senator Cain moved as a substitute motion to the committee report that the words "or special" following the word "general" in line 9 of Section 1, be eliminated from the report.

Senator Fowler moved that Senate Bill No. 114 be laid over one legislative day.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 15, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

SENATE CONCURRENT RESOLUTION "M"

Also,

SENATE CONCURRENT RESOLUTION "R"

Also,

SENATE CONCURRENT RESOLUTION "P"

Which the Senate has adopted.

Also,

Senate Bill No. 133. A Bill for an Act Authorizing Banking Institutions to Issue and Sell Capital Notes or Debentures and Preferred Stock; Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which the Same May Be Issued and Sold, and Declaring an Emergency.

Also,

Senate Bill No. 52. A Bill for an Act Creating a Board Known as the "North Dakota Commissioners of the Federated Cooperative Agricultural Association" and Providing for Cooperation With Other Surplus Producing States of the Union, Describing the Manner of Forming the Same, the Purposes Thereof, Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 139. A Bill for an Act Making an Appropriation to Meet a Deficiency in the Appropriations Made to the Board of Pardons for the Biennium period expiring June 30, 1935, and Declaring an Emergency.

Also,

Senate Bill No. 137. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 89 of the Session Laws of the State of North Dakota for the Year 1933, Relating to Prohibition Against Corporation Farming, and Declaring an Emergency.

Also,

Senate Bill No. 128. A Bill for an Act to Promote the Objects of the Act of Congress of the United States Entitled, "National Housing Act," approved June 27, 1934, and Acts Amendatory Thereof or Supplemental Thereto, by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, and Insurance Companies, to Make Loans Pursuant to Title I and II of the National Housing Act, and by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Subdivisions, and Institutions and Agencies Thereof, and All Other Persons, Associations and Corporations, Subject to the Laws of This State, to Invest in Mortgages Insured, and in Debentures Issued, by the Federal Housing Administrator, and to Invest in Securities of National Mortgage Associations or Similar National Mortgage Credit Institutions Now or Hereafter Organized Under Title III of the National Housing Act, and by Excepting Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Subdivisions, and Institutions and Agencies Thereof, and All Other Persons, and Associations, Subject to the Laws of This State from the Application of Laws of This State Requiring Security Upon Which Loans or Investments May Be Made, or Limiting Making of Loans to Shareholders or Members of the Lender, or Prescribing the Nature, Amount or Form of Such Security, or Limiting or Prescribing the Interest Rates Upon Loans or Investments, or the Period for Which Loans or Investments May Be Made, Provided Such Loans, Securities or Investments Are Insured by the Federal Housing Administrator, and Providing for Invalidity, and Declaring an Emergency to Exist.

Also,

Senate Bill No. 129. A Bill for an Act Providing for the Exemption of the Homestead as Defined by Law from Forced Sale for Payment of Debts, with Certain Exceptions and Prohibiting the Mortgaging or Incumbering of the Homestead, with Certain Exceptions.

Also,

Senate Bill No. 97. A Bill for an Act Relating to Refunding Special Improvement Warrants, Repealing Chapter 195 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 178 of the Session Laws of North Dakota for 1929 and All Other Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 163. A Bill for an Act Making an Appropriation to the University of North Dakota to Meet a Deficiency in the Appropriation for the Biennium Expiring June 30, 1935, for the Public Health Laboratories; and Declaring an Emergency.

Also,

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Chapter 163 of the Session Laws of 1933, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles, That May Be Driven and Moved Upon the Highways of the State of North Dakota, and Prescribing Penalty for Violation Thereof.

Also,

Senate Bill No. 138. A Bill for an Act Providing That Surety and Insurance Companies Other Than Life Insurance Companies, Shall Do Business in This State Only Through Duly Licensed Resident Agents, Regulating the Practice of Such Resident Agents, Providing That the Commissioner of Insurance Shall Have the Power to Refuse, Suspend or Revoke Licenses of Such Resident Agents, Authorizing the Commissioner of Insurance to Examine the Records of Surety or Insurance Companies, to Collect Premium Taxes on Surety or Insurance Companies That Have Transacted Business Within the State Without Authority, Providing Penalties for the Violations Thereof, and Repealing Sections 4961, 4962, 4963 and 4964 of the Compiled Laws of North Dakota for 1913 and Chapter 133, of the Session Laws of North Dakota for 1933.

Also,

Senate Bill No. 113. A Bill for an Act Amending and Re-enacting Section 1 of Chapter 267 of the 1933 Session Laws Relating to the Duty of the County Treasurer to Receive County Warrants in Payment of Certain Taxes, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

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

Very respectfully,

F. E. TUNELL,
Secretary.

REPORT OF STANDING COMMITTEES

The Committee on Agriculture and Labor made the following report:

Mr. President: Your Committee on Agriculture and Labor to whom was referred:

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, Sub-Section (b) of Section 4, and Section 13 of Chapter 215, Session Laws of 1931.

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

On Page 3, Section 4, Sub-section (b), line 4, of the printed Bill, strike out the word "The" and insert in lieu thereof the word "Any." After the word "applicant" insert the following "handling not to exceed six thousand bushels."

In line 5 strike out the figures "\$2000.00" and insert in lieu thereof the figures "\$1000.00." Also strike out the word "Two" and insert in lieu thereof the word "One."

In line 6, after the word "Dollars" insert the following: "and any applicant handling in excess of six thousands bushels shall execute and file a bond of not less than Two Thousand Dollars (\$2000.00)."

And when so amended recommend the same do pass.

HERMAN THORSON,
Chairman.

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

Senator Owings moved that all absent Senators be excused. Which motion prevailed.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

February 14, 1935.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 36. A Bill for an Act to Repeal Sub-sections C and E of Section 1 of Chapter 185, Laws of 1933, and to Amend and Re-enact Section 2 of Chapter 205, Laws of 1931, Relating to the Board of State Capitol Commissioners, and Declaring an Emergency.

Very truly yours,

WALTER WELFORD,
Governor.

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

February 14, 1935.

Hon. A. S. Marshall,
President of the Senate.

Dear Mr. Marshall:

I am handing you herewith copy of proclamation of the legislature of the State of South Dakota, which was delivered to me under the provisions of the resolution.

It is forwarded for such consideration as it may merit at your hands.

Yours very truly,

WALTER WELFORD,
Acting Governor.

WW:B*C

SENATE CONCURRENT RESOLUTION No. 6

Introduced by Mr. Schneider

A Concurrent Resolution, Relating to Refinancing of Farm Indebtedness as Contemplated Under the Frazier-Lemke Refinancing Bill, and Government Regulation of Marketing of Farm Products on a Basis of Cost of Production.

WHEREAS, The welfare of this Nation is inseparably linked with the welfare of its basic industry, Agriculture, and

WHEREAS, Agriculture cannot prosper unless granted production cost for that portion of our farm crops domestically consumed; also given assistance in carrying the heavy burden of agricultural debts; and

WHEREAS, It is the opinion and belief of the Legislature of the State of South Dakota that legislation providing for refinancing of farm indebtedness at not to exceed 1½% interest and 1½% on amortization of principal as contemplated in the Frazier-Lemke Bill; also Government regulation of marketing of farm products on a basis of Cost of Production, providing for storage of surpluses on the farm as already accomplished by the sealing of corn and that this principle be extended to other farm commodities.

THEREFORE, BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

That we respectfully urge Congress of the United States to enact such legislation as above set forth without unnecessary delay, i. e., The Frazier-Lemke Refinance Bill or its equivalent and Government regulation of marketing on basis of Cost of Production for that part of our farm crops domestically consumed, and providing for storage of surplus on the farm or disposal in the World market.

BE IT FURTHER RESOLVED, That the Congress of the United States is respectfully petitioned to expedite such legislation; and,

BE IT FURTHER RESOLVED, That the Secretary of the Senate is directed to supply copies of this Resolution to each of the Senators and Representatives in Congress, the United States Secretary of Agriculture, and to the Governor of each of the United States with the request that it be transmitted to the Legislature of each State,

And your concurrence is respectfully requested.

ROBERT PETERSON,
President of the Senate.

W. J. MATSON,
Secretary of the Senate.

Senator Thatcher moved the communication from Governor Welford be printed in the Journal.

Which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Strehlow and Whelan introduced:

Senate Bill No. 236. A Bill for an Act to Regulate Ownership and Operation of Pharmacies, Requiring the Registration and Inspection and Prescribing Penalties.

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

Senator Bonzer introduced:

Senate Bill No. 237. A Bill for an Act to Regulate the Practice of Professional Engineering and Land Survey.

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

Senator Bonzer introduced:

Senate Bill No. 238. A Bill for an Act Providing for Procedure for Issuance by a Municipality in Certain Cases of Funding Bonds to Retire Outstanding Bonds or Obligations Which Exceed the Debt Limit of That Municipality on Date of Issuance of Such Funding Bonds; Imposing Certain Duties on County Treasurers in Connection Therewith; Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senator Bonzer introduced:

Senate Bill No. 239. A Bill for an Act Authorizing Any Board or Officer Having the Control or Management of Any Real Estate Belonging to or Controlled by the State of North Dakota or Any of Its Political Subdivisions to Enter Into Agreements with the United States of America for the Improvement of Said Real Estate by the Establishment and Maintenance of Shelterbelts of Trees and Other Plants and Necessary Protective Structures and Works Thereon, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senators Greene of Stutsman, Johnson and Fine introduced:

Senate Bill No. 240. A Bill for an Act to Forbid the Compulsory Enrollment of Students in Courses in Military Training and Tactics in State Supported Schools.

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

Committee on Judiciary introduced:

Senate Bill No. 241. A Bill for an Act to Provide for the Conditional Examination of Witnesses Held to Appear Before

a Grand Jury or Court When Such Witnesses Are Unable to Give the Security Required by the Court.

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

Committee on Judiciary introduced:

Senate Bill No. 242. A Bill for an Act to Amend and Re-enact Section 11119, Compiled Laws of 1913, and to Permit the Deposit of Money or Bonds as Bail in Criminal Cases.

Was read the first time and referred to the Committee on Judiciary:

Committee on Judiciary introduced:

Senate Bill No. 243. A Bill for an Act to Amend and Re-enact Section 10606, Compiled Laws of 1913, Relating to Preliminary Examinations of Persons Accused of Crime, and Permitting the Defendant to Make Unsworn Statements in Answer to the Charge Against Him.

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

Committee on Judiciary introduced:

Senate Bill No. 244. A Bill for an Act to Permit Fidelity and Surety Companies to Act as Sureties Upon Civil or Criminal Undertakings for Bail.

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

Committee on Judiciary introduced:

Senate Bill No. 245. A Bill for an Act to Fix the Venue of Crimes Committed in or Against Aircraft in Flight, and Upon Trains or Other Vehicles.

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

Committee on Judiciary introduced:

Senate Bill No. 246. A Bill for an Act to Provide for the Use of Alternate Jurors in Criminal Cases, and to Regulate the Practice of the Courts in Regard Thereto.

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

Senators Peterson and Matthaai introduced:

Senate Bill No. 247. A Bill for an Act Providing for the Disposition of Liquor and for the Applying of the Proceeds Thereof to the General Fund of the County Where Such Liquor was Seized or Is Held.

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

Senators Erickson and Bonzer introduced:

Senate Bill No. 248. A Bill for an Act Authorizing the County Commissioners of the Several Counties of the State of North Dakota to Contract with Some Newspaper Printed in the County, to Perform All Printing for Which Said Counties May be Chargeable, Including All Legal Advertising Required by Law to Be Made, and Other Printing, All Official Publications and Fixing a Price Thereof; Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senator McDonald introduced:

Senate Bill No. 249. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend from the Present Sewerage System of the State Penitentiary to Connect With the Sewerage System of the City of Bismarck at the Intersection of the Center Line of Main Avenue and Ninth Street in the City of Bismarck; Making an Appropriation Therefor; and Declaring an Emergency.

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

Senators Whelan and Greene of Stutsman introduced:

Senate Bill No. 250. A Bill for an Act to Exempt Grain Warehousemen from Suit for Conversion of Grain Bought, Unless the Instrument Creating Said Interests of Liens Is on File or of Record, or Written Notice of the Existence Thereof Is Given to the Warehousemen.

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

Senators Whelan and Greene of Stutsman introduced:

Senate Bill No. 251. A Bill for an Act to Suspend the Operation of Chapter 311 of the Laws of 1931 as Applied to Public Warehouses, for a Period of Two Years, and Providing the Inspection May Be Made by Qualified Inspectors.

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

Senators Peterson and Matthaai introduced:

Senate Bill No. 252. A Bill for an Act Providing for the Speedy Liquidation of Insolvent Banks, Providing Procedure for Liquidating and Closing Receiverships of Insolvent Banks, Granting Additional Powers to the Supreme Court and Directing the Procedure to Be Had by Said Court and Defining the Powers and Duties of the Supreme Court in Bank Receiverships.

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

Senator Erickson (By Request) introduced:

Senate Bill No. 253. A Bill for an Act to Amend and Re-enact Sections 3176a1, 3176a2, 3176a3, 3176a4, 3176a5, and 3176a6 of the 1925 Supplement to the Compiled Laws of the State of North Dakota, Relating to Designation of State, County and Municipal Official Newspapers.

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

Senators Erickson and Bonzer introduced:

Senate Bill No. 254. A Bill for an Act Re-enacting Sections 917, 918 and 919 of the Compiled Laws of North Dakota for 1913, and to Provide for Party Registration of Electors Desiring to Vote at Any Primary Election in This State, and Providing for Registration and Enrollment Books, and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senator Bonzer introduced:

Senate Bill No. 255. A Bill for an Act to Amend and Re-enact Sections 3028, 3030 and 3034 of the Compiled Laws of the State of North Dakota for 1913, Relating to Licensing of Peddlers and Declaring an Emergency.

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

Senator Bonzer introduced:

Senate Bill No. 256. A Bill for an Act to Make an Appropriation from the North Dakota Twine and Cordage Plant Fund for the Purchase of Additional Land for the State Penitentiary.

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

Senator Kroeber introduced:

Senate Bill No. 257. A Bill for an Act to Amend and Re-enact Section 1372a of Article 17 of Chapter 12 of the Compiled Laws of North Dakota 1913 Providing for Citizenship of Teachers and Requiring Oath to Support the Constitution of the State of North Dakota and Constitution of the United States of America.

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

Senator Bonzer introduced:

Senate Bill No. 258. A Bill for an Act to Amend and Re-enact Section 3839, of the 1913 Compiled Laws of North Dakota.

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

Senator Gronvold (By Request) introduced:

Senate Bill No. 259. A Bill for an Act to Amend and Re-enact Section 23 of Chapter 148 of the 1931 Session Laws, Relating to Non-Resident License. Cost. How Issued. Application. Form. Game Shipments.

Was read the first time and referred to the Committee on Game and Fish.

Senator Bonzer introduced:

Senate Bill No. 260. A Bill for an Act Creating a State Highway Patrol for the State of North Dakota; Authorizing the Attorney General to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Amending Chapter 102 of the Session Laws of North Dakota for the Year 1933 Relating to Bureau of Criminal Identification; Fixing Compensation and Providing for Disposition of Fines Collected; and Declaring an Emergency.

Was read the first time and referred to the Committee on Highways.

Senator Bonzer introduced:

Senate Bill No. 261. A Bill for an Act Transferring a Sum of Fifty Thousand Dollars from the General Fund to the "Returned Soldiers Fund" Heretofore Transferred from the Returned Soldiers Fund to the General Fund Under the Provisions of Chapter 82 of the Session Laws of 1931.

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

Senator Matthaei introduced:

Senate Bill No. 262. A Bill for an Act Temporarily Extending the Time in Which Redemption May Be Made from Tax Sales and Extending the Time in Which Holders of Tax Sales Certificates May Present the Same for Obtaining Tax Deeds, and Extending the Time in Which Tax Deeds May Be Obtained, and Declaring an Emergency and Repealing All Acts or Parts of Acts in Conflict Herewith.

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

Senator Erickson introduced:

Senate Bill No. 263. A Bill for an Act to Amend and Re-enact Sections 2350, 2412 and 2417 of the Compiled Laws of North Dakota of the Year 1913 Relating to the Military Code of the State of North Dakota; Defining Military Forces; Providing a Board of Armory Supervisors and Defining the Powers Thereof; Fixing the Pay and Allowances of Enlisted

Men on Active Duty and Further Providing for the Appointment of an Assistant Adjutant General, His Powers and Duties; The Appointment of a Disbursing Officer, His Powers and Duties; Requiring Officers to Furnish Bonds; Providing Punishment for False Certificates or Returns and for the Misuse of Funds or Property; Providing that State and Municipal Officers and Employees Shall Not Lose Pay While on Duty; Giving Troops Power to Act Outside of Occupied Territory; Providing for the Service of Process of Military Courts; Providing that the Invalidation of a Portion of This Act Shall Not Invalidate the Remainder Thereof and Repealing Sections 2392, 2421, 2432b and 2434 of the Compiled Laws of North Dakota of the Year 1913 and Sections 2423a and 2442a of the 1925 Supplement to the Compiled Laws of North Dakota of the Year 1913 and All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Military Affairs.

Senator Bonzer introduced:

Senate Bill No. 264. A Bill for an Act Relating to Licensing of Motor Vehicle Operators and Chauffeurs and to the Liability of Certain Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fee to be Paid; Providing for Examination of Applicant; Providing for Suspension or Revocation of License; Making Disposition of Fees Collected; Providing for Penalty for Violating Act; Repealing All Acts in Conflict Herewith.

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

Senator McDonald introduced:

Senate Bill No. 265. A Bill for an Act Defining the Qualifications of the County Surveyor.

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

Senators Nelson of Grand Forks, Stucke, Matthaei and Whelan introduced:

Senate Bill No. 266. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Re-touch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation. Emergency.

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

Senator Fine introduced:

Senate Bill No. 267. A Bill for an Act to Amend and Re-enact Sections 5535 and 5536 of the Compiled Laws of the State of North Dakota for the Year 1913.

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

Senator Fine introduced:

Senate Bill No. 268. A Bill for an Act to Regulate and Control the Charges and Commissions Asked by Local Farm Machinery Dealers or Agents, for Parts and Extras Which Are Not Carried in Local Stock; Defining Violations; Providing for Enforcement and Prosecution, and Supersedeance of This Act.

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

Senator Miklethun introduced:

Senate Bill No. 269. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by "Company G" 1st Regiment North Dakota National Guard Training School, a Corporation, as Mortgagor, to the State of North Dakota, Dated January 25th, 1909, Filed for Record in the Office of the Register of Deeds of Barnes County, North Dakota, on April 9th, 1909, at Two O'Clock, P. M. and Recorded in Book 43 of Mortgages on Page 3, and Covering Lot Sixteen (16) and the North Half (N½) of Lot Seventeen (17) in Block Seventeen (17) of the Original Plat of Valley City, North Dakota.

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

Senator Lind (By Request) introduced:

Senate Bill No. 270. A Bill for an Act to Amend and Re-enact Section 9007 of the Compiled Laws of North Dakota for the Year 1913, Defining the Jurisdiction and Authority of Justices of the Peace in Criminal Matters.

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

Senator Lind (By Request) introduced:

Senate Bill No. 271. A Bill for an Act Empowering the Board of County Commissioners to Abate, Cancel or Reduce Personal Property Taxes Upon Evidence Satisfying Said Commissioners of the Unjustness of the Assessment of Taxes; Providing a Manner Through Which the Same May Be Done.

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

Senator Ettestad (By Request) introduced:

Senate Bill No. 272. A Bill for an Act to Amend and Re-enact Section 3257 of the Compiled Laws of North Dakota of 1913; to Repeal Section 3258 of the Compiled Laws of North Dakota of 1913; Provide for the Election of Justices

of the Peace and Constables in Each County Commissioner District; Abolish the Offices of County Justice of the Peace, County Constable, Township Justice of the Peace and Township Constable, and for Other Purposes.

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

SENATE CONCURRENT RESOLUTION "W"

Introduced by Senators Greene, Thatcher, Lemke

LEGISLATIVE POWER, INITIATIVE AND REFERENDUM

A Concurrent Resolution Providing for the Amendment of Section 25 of Article 2 of the Constitution of the State of North Dakota, Relating to the Legislative Power of the State, and the Initiative and Referendum.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the following proposed amendment to Section 25 of Article 2 of the Constitution of the State of North Dakota is agreed to and that the same be submitted to the qualified electors of the State for approval or rejection, in accordance with the provisions of Section 202 of the Constitution of the State of North Dakota, as amended.

Section 1. Amendment: That Section 25 of Article 2 of the Constitution of the State of North Dakota is hereby amended and re-enacted to read as follows:

Section 25. The legislative power of this state shall be vested in a legislature consisting of a senate and a house of representatives. The people, however, reserve the power, first to propose measures and to enact or reject the same at the polls; second, to approve or reject at the polls any measure or any item, section, part or parts of any measure enacted by the legislature.

The first power reserved is the initiative. Twenty thousand electors at large may propose any measure by initiative petition. Every such petition shall contain the full text of the measure and shall be filed with the Secretary of State not less than ninety days before the election at which it is to be voted upon.

The second power reserved is the referendum. Thirty-five thousand electors at large may, by referendum petition, suspend the operation of any measure enacted by the legislature, except an emergency measure. But the filing of a referendum petition against one or more items, sections or parts of any measure shall not prevent the remainder from going into effect. Such petition shall be filed with the Secretary of State not later than ninety days after the adjournment of the session of the legislature at which such measure was enacted. No initiative or referendum petition shall be circulated or filed during a regular or special session of the legislature.

Each measure initiated by or referred to the electors, shall be submitted by its ballot title, which shall be placed upon the ballot by the Secretary of State and shall be voted upon at any state-wide election designated in the petition, or at any special election called by the governor. The result of the vote upon any measure shall be canvassed and declared by the board of canvassers.

Any measure, except an emergency measure submitted to the electors of the state shall become a law when approved by a majority of the votes cast thereon. And such law shall go into effect on the thirtieth day after the election, unless otherwise specified in the measure.

If a referendum petition is filed against an emergency measure, such measure shall be a law until voted upon by the electors. And if it is then rejected by a majority of the votes cast thereon, it shall be thereby repealed. Any such measure shall be submitted to the electors at a special election if so ordered by the Governor or if the referendum petition filed against it shall be signed by thirty-five thousand electors at large. Such special election shall be called by the Governor and shall be held not less than one hundred nor more than one hundred thirty days after the adjournment of the session of the legislature.

The Secretary of State shall pass upon each petition, and if he finds it insufficient he shall notify the "committee for the petitioners" and allow twenty days for correction or amendment. All decisions of the Secretary of State in regard to any such petition shall be subject to review by the Supreme Court. But if the sufficiency of such petition is being reviewed at the time the ballot is prepared, the Secretary of State shall place the measure on the ballot and no subsequent decision shall invalidate such measure if it is at such election approved by a majority of the votes cast thereon. If proceedings are brought against any petition upon any ground, the burden of proof shall be upon the party attacking it.

No law shall be enacted limiting the number of copies of a petition which may be circulated. Such copies shall become a part of the original petition when filed or attached thereto. Nor shall any law be enacted prohibiting any person from giving or receiving compensation for circulating the petition, nor in any manner interfering with the freedom in securing signatures to petitions.

Each petition shall have printed thereon a ballot title which shall fairly represent the subject matter of the measure, and the names of at least five electors who shall constitute the "committee for the petitioners" and who shall represent and act for the petitioners.

The enacting clause of all measures initiated by the electors, shall be: "Be it enacted by the people of the State of North Dakota." In submitting measures to the electors, the Secretary of State, and all other officials shall be guided by the election laws until additional legislation shall be provided.

If conflicting measures initiated by or referred to the electors shall be approved by a majority of the votes cast thereon, the ones receiving the highest number of affirmative votes shall become the law.

The word "measure" as used herein shall include any law or amendment thereto, resolution, legislative proposal or enactment of any character.

The veto power of the Governor shall not extend to the measures initiated by or referred to the electors. No measures enacted or approved by a vote of the electors shall be repealed or amended by the legislature, except upon a yeay and nay vote upon roll call of two thirds of all the members elected to each house.

This section shall be self-executing and all of its provisions shall be treated as mandatory. Laws may be enacted to facilitate its operation, but no law shall be enacted to hamper, restrict or impair the exercise of the rights herein reserved to the people.

Which was referred to the Committee on Elections.

SENATE CONCURRENT RESOLUTION No. "X"

Introduced by Senators Fine and Miklethun

A Concurrent Resolution Endorsing Proposed Shelterbelt Project.

WHEREAS, Trees have proven a great boon to mankind, and are a priceless heritage to posterity, and

WHEREAS, Successful experiments in tree planting under all kinds of conditions have been conducted by the Federal Experiment Station at Mandan, the several sub-stations, the State School of Forestry at Bottineau, and by private enterprise in North Dakota, and

WHEREAS, The President, Hon. Franklin D. Roosevelt, has proposed a forest shelterbelt to extend through a number of Great Plains States, including North Dakota, for the purpose of minimizing the destructive influences of winds and conserving the natural moisture of the region, and

WHEREAS, Recent drouths have emphasized the necessity for such protection and conservation, and the need for appropriate early action is urgent.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That we express our appreciation of this forward-looking plan to benefit agriculture and allied industries in this section, and as such vital to the entire Nation, and

That we endorse the proposal in its entirety, and

That we respectfully urge the Congress of the United States to enact legislation and make the necessary appropriations to carry into effect the Great Plains Shelterbelt Project, and

BE IT FURTHER RESOLVED, That the Secretary of State is instructed and directed to transmit copies of this Resolution to the President of the United States, the Secretary of Agriculture, and to each of the Senators and Representatives in Congress of this State.

Referred to the Committee on Agriculture.

Senator Erickson: "At the present moment there is being held in the Masonic Temple of this City the last rites for one of our citizens who in the past, has taken an active part in the welfare of our state. In 1909, he was proofreader of the Senate and in 1923 he was Chief Clerk of the House of Representatives in the old Capitol building. He was one of the original delegates to Washington, D. C., in the interest of the Roosevelt Park and has always been found in the front ranks for the welfare of our state. Therefore, Mr. President, I move that the Senate stand recessed for ten minutes in honor and memory of Walter Cushing."

Which motion prevailed and the Senate stood recessed for ten minutes.

The Senate re-convened pursuant to recess taken, President pro tem. Marshall presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 79. A Bill for an Act to Amend and Re-enact Section 53, Chapter 148 of the 1931 Session Laws, Relating to Commercial Fishing, Application for License and Cost Thereof.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 38; nays, 5; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	Nelson, Grand Fks.
Braaten	Kamrath	Owings
Brostuen	Kolpin	Peterson
Cain	Kroeber	Strehlow
Coffey	Lind	Stucke
Crandall	Lowe	Thorson
Drew	Lynn	Trout
Eastgate	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Stutsman	McGillic	Wog
Gronvold	Miklethun	Young
Handley	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Dubay	Nelson, Barnes	Whelan
Johnson	Topp	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Fredrickson	Lemke
Ettestad	Greene, Cavalier	Thatcher

So the bill passed and the title was agreed to.

Senator Gronvold moved that the vote by which Senate Bill No. 79 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Cain requested permission to withdraw his motion to delete certain portions of Section 12, which motion was pending at the time the motion was made to defer action on Senate Bill No. 96.

Which request was granted.

Senator Matthaei moved that Senate Bill No. 96, be amended as follows:

In Section 10 on page 12 of the printed bill, in line 6 after the wording "Cancellation," strike out the balance of the line and all of lines 7 to 10 inclusive, and on page 13 all of lines 11 to 30 inclusive, and insert in lieu thereof, the following:

Sec. 189b12 Cancellation.) The insured may, before loss by Hail and before June 20th and July 6th of the crop year, cancel his insurance on part or all of his crops insured under the provisions of this Act for the part of the season remaining by filing a Notice of Cancellation in duplicate with the State Hail Insurance Department at Bismarck, in the manner and form as the Commissioner may determine; and in such cases where lands are tenanted the signature of both the owner and tenant must appear on the Notice of Cancellation, or the written concurrence of either the owner or tenant may be executed on a separate form, and attached to and made a part thereof. Such Cancellations shall be effective from 12 o'clock noon of June 20th or July 6th; however, no application for such cancellation shall be accepted by the Commissioner of Insurance unless received and filed in the offices of the Hail Insurance Department at Bismarck, before the day and hour hereinafter provided. Such Notice of Cancellation shall specify the acreage, kind of crop, and legal description of the premises upon which such crops were sown; provided, however, that in case of a partial cancellation no less than the entire acreage of any one kind of crop on any legal description containing not less than forty acres, be cancelled, and in such cases the applicant must specify on a

diagram the location of the crops where the insurance is cancelled. Provided, further, that in the event of such cancellation the land upon which insurance is cancelled, shall be subject to a percentage of the indemnity tax rate for that county for the same year as hereinafter provided. Such application for cancellation shall be granted, and the indemnity tax rate for that year on such land shall be as follows:

Which motion prevailed.

Senator Watt moved that Senate Bill No. 96 be amended as follows:

In line 15, page 3, Section 2, change the figures "\$250,000" to read "\$150,000."

Senator Bonzer moved as a substitute motion that Senate Bill No. 96 be amended as follows:

In line 15, page 3, Section 2, change the figures "\$250,000" to read "\$200,000."

Which motion prevailed.

Senator Watt moved that Senate Bill No. 96 be amended as follows:

In Section 2, line 9 after the word "insurance," insert the following language: "and whose salary shall not exceed \$2,800 per annum."

Senator Matthaei moved as a substitute motion that Senate Bill No. 96 be amended as follows:

In Section 2, line 9, after the word "insurance," insert the following language: "and whose salary shall not exceed \$3,200 per annum."

Which motion prevailed.

Senator Watt moved to amend Senate Bill No. 96 as follows:

On page 2, line 9, after the word "insurance," strike out the period, insert a comma and the following language: "with the approval of the Commissioner of Insurance and the State Auditing Board."

Which motion was lost.

Senator Matthaei moved that the rules be suspended and that Senate Bill No. 96, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senator Bonzer demanded a Call of the Senate.

Roll call: All Senators were present except Senators Erickson and Lemke.

The President instructed the Sergeant-at-arms to bring the absent Senators to the Senate Chamber.

Senator Bonzer moved that the Call of the Senate be dispensed with.

Which motion prevailed.

Senator Johnson moved that Senate Bill No. 96 be divided and a separate roll call be taken on the emergency clause.

Which motion prevailed.

Senator Whelan moved that the Senate do now recess until 1:00 P. M., tomorrow.

Which motion was lost.

Senate Bill No. 96. A Bill for an Act to Amend and Re-enact Sections 189b1 and 189b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and to Amend and Re-enact Sections 189b3, 189b5, 189b7, 189b8, 189b9, 189b10, 189b11, 189b12, 189b13, 189b15, 189b21, 189b25, and 189b29 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota as Amended and Re-enacted by Chapter 170 of the 1931 Session Laws of North Dakota, and as Amended and Re-enacted by Sections 1, 2, 3, 4, 5, 7, 10, 11, 12, 15, 17, and 18 of Chapter 137 of the 1933 Session Laws of North Dakota, and Section 10 of Chapter 170 of the 1931 Session Laws of the State of North Dakota, Repealing All Acts or Parts of Acts in Conflict Herewith; Relating to State Hail Insurance, Providing for Insuring Crops Against Loss by Hail, Defining Duties of the Assessors; Providing for Collections of Taxes, Fixing Amounts and Providing for Adjustment of Claims of Indemnity; and Abatement of Hail Indemnity Tax and Correction of Records and Declaring an Emergency.

Was read the second time.

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 34; nays, 15; absent and not voting, 0.

ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	Mutchler
Braaten	Kamrath	Nelson, Barnes
Brostuen	Kolpin	Nelson, Grand Fks.
Dubay	Kroeber	Owings
Erickson	Lemke	Peterson
Ettestad	Lind	Stucke
Fine	Marshall	Thatcher
Fowler	Matthaei	Thorson
Fredrickson	McDonald	Trout
Greene, Cavalier	McGillic	Vinje
Greene, Stutsman	Miklethun	Wog
Handley		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Topp
Coffey	Johnson	Trovatten
Crandall	Lowe	Watt
Drew	Lynn	Whelan
Eastgate	Strehlow	Young

So the bill passed and the title was agreed to.

Senator Cain: "If Senate Bill No. 96 becomes a law it will make it mandatory that every piece of land cropped in the state will be insured. In addition to the compulsory insurance feature, it will impose a tax against the land insured equal to fifteen per cent of the premium even though that land be withdrawn from hail insurance because of total crop failure or any other valid reason. The compulsory insurance feature together with the taxes that will be required to be levied against the land that might be withdrawn, places too great a burden upon the farmers of the state to justify my voting for the bill.

For instance, let us assume that all of the cropped or tillable land in Stark County, because of crop failure such as we had last year, be withdrawn this coming season, it would mean that the farmers of that County would have to pay a tax of approximately \$18,000 without having received any benefit whatsoever from this hail insurance, therefore, I vote 'no'."

Senator McGillic: "I have been sent over here to help reduce taxes. The other Senators who represent the farmers wish this additional tax. I live in the city of Mandan, but because it is their wish to have this hail insurance law, I vote 'aye'."

The question being on the passage of the emergency clause on Senate Bill No. 96. The roll was called and there were ayes, 38; nays, 11; absent and not voting, 0.

ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	Mutchler
Braaten	Kamrath	Nelson, Barnes
Brostuen	Kolpin	Owings
Dubay	Kroeber	Peterson
Erickson	Lemke	Stucke
Ettestad	Lind	Thatcher
Fine	Lowe	Thorson
Fowler	Lynn	Topp
Fredrickson	Marshall	Trout
Greene, Cavalier	Matthaei	Vinje
Greene, Stutsman	McDonald	Wog
Handley	McGillic	Young
Johnson	Miklethun	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Eastgate	Trovatten
Coffey	Gronvold	Watt
Crandall	Nelson, Grand Fks.	Whelan
Drew	Strehlow	

So the emergency clause was declared carried.

Senator Ettestad moved that Senate Bill No. 44 be indefinitely postponed.

Senator Miklethun demanded a roll call, which was granted.

The question being on the indefinite postponement of Senate Bill No. 44, the roll was called and there were ayes, 29; nays, 19; absent and not voting, 1.

ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Fowler	Nelson, Grand Fks.
Braaten	Greene, Cavalier	Peterson
Brostuen	Jones	Strehlow
Cain	Kamrath	Topp
Coffey	Kroeber	Trout
Crandall	Lowe	Trovatten
Drew	Lynn	Watt
Dubay	McGillic	Whelan
Eastgate	Mutchler	Young
Ettestad	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Erickson	Lemke	Owings
Fine	Lind	Stucke
Fredrickson	Marshall	Thatcher
Greene, Stutsman	Matthaei	Thorson
Handley	McDonald	Vinje
Johnson	Miklethun	Wog
Kolpin		

Absent and not voting:

Messrs.
Gronvold

So Senate Bill No. 44 was indefinitely postponed.

Senator Bonzer moved that the vote by which Senate Bill No. 44 was indefinitely postponed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Miss Ethel Welford and Miss Edith Corbett of Pembina; Louis Whelan, Stanley Ganssle, St. Thomas; Mrs. Lars Siljan, Garrison; H. S. Owen, Grand Forks; E. C. Thomas, Hettinger; Osmund Selland, Rugby; Gus Marchus, Wolford; Herman Romine, Silva; Paul Marshall, Martin; R. L. Nelson, Hillsboro; B. J. Grinde, Portland; O. M. Smith, Galesburg; I. B. Haugen, Joe Asmundson, Mr. Potter and Mr. Schwanbeck of Bottineau; Driscoll High School—L. E. Sendder, Prin.; Gertrude Stenerson, teacher; Lois Lien, Alice Vik, Clara Rise, Loyla Erickson, Margaret Dronen, Bernice Bjorhus, Lois Anunson, Mae Anunson, Sophie Homsey, Hattie Ward, Evelyn Newcomer, Huber Jordan, Lloyd Gilchrist, George Koessel, Melvin Gertz, Dallas Olson, Edith Johnson, Louise Jackson, Mildred Johnson, Arlette Mariner, Willis Seemann, Mildred Wright, Bernice Chapin, Eleanor Chapin, Norma Ward, Bernice Reiderer, Rosa Lauf, Martha Saretske, Clarice Lunn, Nadine Berg, James Wright, Alvin Saretske, Vernon Pederson, Marcus Johns, Louis Wright, Hildreth Bruschwein, Virginia McCann, Vernice Pederson, Lorraine Johnson; drivers—Paul McCann, James Anunson, Mrs. L. E. Sendder, Rev. C. E. Brenna.

Senator Bonzer moved that the Senate do now recess until 1:00 o'clock tomorrow.

Which motion prevailed.

The Senate stood recessed.

F. E. TUNELL,
Secretary.

THIRTY-NINTH DAY AFTER RECESS AND THE
FORTIETH DAY

Senate Chamber,
Bismarck, North Dakota,
February 16, 1935.

The Senate convened at 1:00 P. M., pursuant to recess,
President pro tem. Marshall presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 140. A Bill for an Act Making an Appropriation to the Attorney General to Repay Money Borrowed from The Bank of North Dakota to Pay Expenses Incurred for Fees and Disbursements in Certain Tax Litigations, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 33; nays, 5, absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Jones	Nelson, Barnes
Brostuen	Kamrath	Owings
Crandall	Kolpin	Peterson
Drew	Kroeber	Strehlow
Ettestad	Lemke	Stucke
Fine	Lynn	Trout
Fowler	Marshall	Vinje
Fredrickson	Matthaei	Watt
Greene, Cavalier	McDonald	Whelan
Handley	Miklethun	Wog
Johnson	Mutchler	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Eastgate	Thorson	Trovatten
Nelson, Grand Fks.	Topp	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Erickson	Lowe
Cain	Greene, Stutsman	McGillic
Coffey	Gronvold	Thatcher
Dubay	Lind	

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Fredrickson 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 Eastgate: "I vote 'No' on this bill because I do not think we have any right to allow different departments to go out and borrow money and use it as they see fit and come back to the Legislature and ask for an appropriation. I vote 'No'."

Senator Watt: "I am going to vote for this bill because it is absolutely necessary. It is one of those things that should not be necessary if Former Governor Langer had used a little sense and not vetoed an appropriation that was absolutely necessary. It was forcing this department to do something that was absolutely contrary to law."

Senator Cain moved that Senate Bill No. 104 be amended as follows:

In line 9, Section 1, strike out the period, insert a semicolon and the following language: "Provided, however, that the provisions of this Act shall not apply to any State, charitable, penal or educational institutions."

Which motion prevailed.

Senator Whelan moved that Senate Bill No. 104 be amended as follows:

In line 8 after the words "able bodied" insert "and is not gainfully employed".

Which motion was lost.

Senator Matthaei moved that Senate Bill No. 104 be amended as follows:

In line 3 after the word "commission" insert the following language: "or the Bank of North Dakota."

Which motion prevailed.

Senator Cain moved that the rules be suspended and that Senate Bill No. 104, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 104. A Bill for an Act to Prohibit the Employment of Married Women in All State or County Offices, Departments, Bureaus, Boards, and Commissions; and Providing a Penalty Therefor.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Marshall	Trout
Ettestad	Matthaei	Trovatten
Fine	McDonald	Vinje
Fowler	McGillic	Watt
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fredrickson	Lynn	Whelan

Absent and not voting:

Messrs.	Messrs.	Messrs.
Coffey	Lowe	Peterson
Gronvold		

So the bill passed and the title was agreed to.

Senator McDonald moved that the vote by which Senaté Bill No. 104 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 85. A Bill for an Act Constituting the Secretary of State as Agent for Service of Process Upon Non-residents Using or Operating Motor Vehicles on State Highways Where Damages or Loss to Person or Property Has Resulted from the Use of Such Highways, Fixing Fee for Service, and Keeping of Records.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Johnson	Owings
Braaten	Jones	Peterson
Brostuen	Kamrath	Strehlow
Cain	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lynn	Trout
Erickson	Marshall	Trovatten
Ettestad	McDonald	Vinje
Fowler	McGillie	Watt
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Mutchler	Wog
Greene, Stutsman	Nelson, Barnes	Young
Handley	Nelson, Grand Fks.	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Coffey	Gronvold	Matthaei
Fine	Low	

So the bill passed and the title was agreed to.

Senator Cain moved that Senate Bill No. 131 be amended as follows:

In line 9, Section 4, page 6 of the printed bill, strike out the word "are" and insert the word "is" in lieu thereof.

Which motion prevailed.

Senator Cain moved that the rules be suspended and that Senate Bill No. 131 as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 131. A Bill for an Act Authorizing and Empowering the Governor to Accept a Conveyance in Trust of the Lands Comprising the International Peace Garden to the State of North Dakota; Setting Forth the Terms and Conditions of the Trust; Vesting the Custody, Control, Possession, Supervision, Management and Operation of Such Lands in the Board of Directors of the International Peace Garden, Inc.; Vesting in the State Historical Society General Supervision of Such Lands, and Expressly Empowering the State Historical Society to Co-operate in the Establishment, Promotion and Development of the International Peace Garden for the Purpose of Furthering International

Peace Among the Nations of the World; Providing for the Duration of Such Trust, and Repealing All Acts, or Parts of Acts, in Conflict Herewith, and Declaring That an Emergency Exists for the Immediate Enactment of This Act.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Jones	Owings
Braaten	Kamrath	Peterson
Brostuen	Kolpin	Strehlow
Cain	Kroeber	Stucke
Crandall	Lemke	Thatcher
Drew	Lind	Thorson
Dubay	Lynn	Topp
Eastgate	Marshall	Trout
Ettestad	Matthaei	Trovatten
Fowler	McDonald	Vinje
Fredrickson	McGillic	Watt
Greene, Cavalier	Miklethun	Whelan
Greene, Stutsman	Mutchler	Wog
Handley	Nelson, Barnes	Young
Johnson	Nelson, Grand Fks.	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Coffey	Fine	Lowe
Erickson	Gronvold	

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 184. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys and Girls Club Work at State and District Fairs.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 38; nays, 5; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	Peterson
Braaten	Kolpin	Strehlow
Cain	Lemke	Stucke
Crandall	Lind	Thatcher
Drew	Lynn	Topp

Messrs.	Messrs.	Messrs.
Dubay	Marshall	Trout
Eastgate	Matthaei	Trovatten
Fowler	McDonald	Vinje
Fredrickson	McGillic	Watt
Greene, Cavalier	Miklethun	Whelan
Greene, Stutsman	Mutchler	Wog
Handley	Nelson, Barnes	Young
Johnson	Nelson, Grand Fks.	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Ettestad	Kroeber	Thorson
Kamrath	Owings	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brostuen	Erickson	Gronvold
Coffey	Fine	Low

So the bill passed and the title was agreed to.

Senate Bill No. 149. A Bill for an Act to Create a State Planning Board, Prescribing the Powers and Duties Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lind	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young

Those voting in the negative were:

Messrs.
Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Coffey	Gronvold	Lowe

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Peterson moved that Senate Bill No. 150 be amended as follows:

On page 2, Section 2, line 1 after the word "provided," insert the following language: "the governor with the advice of."

Which motion prevailed.

Senator Peterson moved that the rules be suspended and that Senate Bill No. 150 as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 150. A Bill for an Act Empowering the State Historical Society to Acquire Lands for State Parks, State Monuments, and State Recreation Reserves, to Supervise, Control and Maintain Such State Parks, State Monuments, and State Recreation Reserves, Providing for the Appointment of a State Parks Committee, and Making an Appropriation Therefor.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Johnson	Nelson, Grand Fks.
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Cain	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lynn	Trout
Erickson	Marshall	Trovatten
Ettestad	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Handley	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Coffey	Gronvold	Thatcher
Fine	Lowe	

So the bill passed and the title was agreed to.

Senator Cain moved that Senate Bill No. 134 be placed on the Calendar for Monday.

Which motion prevailed.

Senator Watt moved that the Senate do now adjourn.

Which motion prevailed.

FORTIETH DAY

Senate Chamber,
Bismarck, North Dakota,
February 16, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. Herman G. Johnson.

Roll call: All Senators were present except Senators Coffey, Gronvold and Lowe.

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

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-eighth day after recess and the Thirty-ninth day and found the same correct.

And recommend that the same be approved.

R. A. OWINGS,
Chairman.

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

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 16, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 79. A Bill for an Act to Amend and Re-enact Section 53, Chapter 148 of the 1931 Session Laws, Relating to Commercial Fishing, Application for License and Cost Thereof.

Also,

Senate Bill No. 96. A Bill for an Act to Amend and Re-enact Sections 189b1 and 189b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and to Amend and Re-enact Sections 189b3, 189b5, 189b7, 189b8, 189b9, 189b10, 189b11, 189b12, 189b13, 189b15, 189b21, 189b25, and 189b29 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota as Amended and Re-enacted by Chapter 170 of the 1931 Session Laws of North Dakota, and as Amended and Re-enacted by Sections 1, 2, 3, 4, 5, 7, 10, 11, 12, 15, 17, and 18 of Chapter 137 of the 1933 Session Laws of North Dakota, and Section 10 of Chapter 170 of the 1931 Session Laws of the State of North Dakota, Repealing All Acts or Parts of Acts in Conflict Herewith; Relating to State Hail Insurance, Providing for Insuring Crops Against Loss by Hail, Defining Duties of the Assessors; Providing for Collections of Taxes, Fixing Amounts and Providing for Adjustment of Claims of Indemnity; and Abatement of Hail Indemnity Tax and Correction of Records and Declaring an Emergency.

Also,

Senate Bill No. 120. A Bill for an Act to Amend and Re-enact Section 2 of That Certain Initiated Law Entitled, "An Act Declaring Mortgages on Growing and Unharvested Crops to be Against the Public Policy of This State, and Abolishing the Same." Approved and Adopted by the Electors at the June 29th, 1932, Primary Election, Repealing Chapter 150, Session Laws of 1933, and Declaring an Emergency.

Also,

Senate Bill No. 140. A Bill for an Act Making an Appropriation to the Attorney General to Repay Money Borrowed from The Bank of North Dakota to Pay Expenses Incurred for Fees and Disbursements in Certain Tax Litigations, and Declaring an Emergency.

Also,

Senate Bill No. 85. A Bill for an Act Constituting the Secretary of State as Agent for Service of Process Upon Non-residents Using or Operating Motor Vehicles on State Highways Where Damages or Loss to Person or Property Has Resulted from the Use of Such Highways, Fixing Fee for Service, and Keeping of Records.

Also,

Senate Bill No. 184. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys and Girls Club Work at State and District Fairs.

Also,

Senate Bill No. 149. A Bill for an Act to Create a State Planning Board, Prescribing the Powers and Duties Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

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

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 16, 1935.

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

House Bill No. 177. A Bill for an Act to Amend and Re-enact Chapter 236 of the 1933 Session Laws Relating to Common School District Transportation; Leaving Same to the Discretion of the School Board; Limiting the Amount That May Be Paid for Same and Repealing Chapter 244 of the Session Laws of the State of North Dakota for the Year 1931; Prohibiting Discrimination as Between Families.

Also,

House Bill No. 197. A Bill for an Act to Repeal Section 2, of Chapter 106 Session Laws of North Dakota 1927, and Declaring an Emergency.

Also,

House Bill No. 158. A Bill for an Act to Amend Section 2817 of the Compiled Laws of North Dakota for the Year 1913 Relating to Noxious Weeds, the Definition of Noxious Weeds and the Manner of Destroying the Same.

Also,

House Bill No. 143. A Bill for an Act to Amend and Re-enact Section 3803 Compiled Laws of North Dakota for 1913 Relating to Vacancies in the Offices in Cities Under the Commission Form of Government.

Also,

House Bill No. 148. A Bill for an Act to Amend and Re-enact Section 1009 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Abstract of Vote; Canvass of Vote; Certificate of Election; Tie How Decided; Publication of Abstract; and Providing for Compensation.

Also,

House Bill No. 154. A Bill for an Act Requiring Deduction of Delinquent Personal Property Taxes From Salaries or Other Compensation of Elective and Appointive Officers, Agents and Employees of the State of North Dakota, All Bureaus, Boards, Commissions and Departments, and All Persons receiving Public Funds.

Also,

House Bill No. 161. A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled Laws, as Amended by Chapter 247 of the Session Laws of 1933, and Declaring an Emergency.

Also,

House Bill No. 136. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend from the Present Sewerage System of the State Training School to Connect with the Syndicate Sewer of the City of Mandan; Making an Appropriation Therefor; and Declaring an Emergency.

Also,

House Bill No. 43. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

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

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 16, 1935.

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

HOUSE CONCURRENT RESOLUTION A-11

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

Also return:

Senate Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 9 of the Session Laws of North Dakota of 1933, Relating to Wolf Bounty; and Declaring an Emergency.

Which the House has passed unchanged.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

PETITIONS AND COMMUNICATIONS

The following Petitions and Communications were received, and read from the desk:

A petition presented by Senator Miklethun, signed, M. Keiser and eight others condemning Senate Bill No. 118.

A petition presented by Senator Whelan, signed, Vernon Hurley and eighty-seven others condemning Senate Bill No. 118.

A resolution from the same source in favor of a State Planning Board.

Referred to the Committee on State Affairs.

A petition, signed, Mrs. Glenn Smith, of Farmers Union Local No. 419 in favor of the Grading and Weighing Bill.

Referred to the Committee on Agriculture.

A petition presented by Senator Brostuen, signed, Helge Sherven and seventy-nine others against a tax on dogs.

Referred to the Committee on Livestock.

A resolution presented at the desk, signed, J. B. McWethy of Foster County asking that the legislature investigate the Insurance Protection rates of the FERA.

Referred to the Committee on Insurance.

A resolution presented by Senator Watt, signed, R. H. Zick, and thirteen other members of the Parent-Teachers Association of Chaffee regarding school legislation.

A resolution presented by Senator McDonald, signed, R. B. Murphy, and fifty others, suggesting certain school legislation.

A petition presented by Senator Whelan, signed, W. W. Smith and nineteen other members of the Parent-Teachers Association of Neche asking certain school legislation.

A petition from the same source, asking for a correspondence course in high school subjects.

A resolution presented by Senator Kolpin, signed, John H. Anderson and thirteen others of the Bridge School P.-T. A., suggesting certain legislation.

A resolution presented by Senator Kolpin, signed, Mrs. M. A. Long of the State Citizen's Committee on Education, regarding education.

A resolution presented by Senator Lind, signed, Geo. J. Farmer, of Farmers Union Local No. 409, asking that a correspondence course in high school subjects be arranged.

A petition from the Sutton Parent-Teachers' Association, regarding school legislation.

Which were referred to the Committee on Education.

A resolution presented by Senator Kolpin, signed, H. W. Stansbury and thirty-three others, asking the defeat of any hard liquor bill.

A resolution presented by Senator Kolpin, signed, Mrs. G. Brudvik and twenty-two others, condemning the sale of hard liquor.

A petition was presented by Senator Vinje, signed by citizens of Hillsboro, N. D., against the sale of hard liquor.

Referred to the Committee on Temperance.

Senator Fredrickson requested a communication from Elvera Peterson, Pekin, N. D., condemning legalizing hard liquor, be read from the desk.

Which request was granted.

The communication was read and referred to the Committee on Temperance.

SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 5. 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 Amendments There-to, and to Meet Other Requirements Prescribed by the Federal Statutes.

Also,

Senate Bill No. 66. A Bill for an Act to Provide for the Creation of a North Dakota Tax Survey Commission, Defining its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Were delivered to the Governor for his approval at the hour of 12:45 o'clock, February 16, 1935.

T. E. WHELAN,
Chairman.

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. 96. A Bill for an Act to Amend and Re-enact Sections 189b1 and 189b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and to Amend and

Re-enact Sections 189b3, 189b5, 189b7, 189b8, 189b9, 189b10, 189b11, 189b12, 189b13, 189b15, 189b21, 189b25, and 189b29 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota as Amended and Re-enacted by Chapter 170 of the 1931 Session Laws of North Dakota, and as Amended and Re-enacted by Sections 1, 2, 3, 4, 5, 7, 10, 11, 12, 15, 17, and 18 of Chapter 137 of the 1933 Session Laws of North Dakota, and Section 10 of Chapter 170 of the 1931 Session Laws of the State of North Dakota, Repealing All Acts or Parts of Acts in Conflict Herewith; Relating to State Hail Insurance, Providing for Insuring Crops Against Loss by Hail, Defining Duties of the Assessors; Providing for Collections of Taxes, Fixing Amounts and Providing for Adjustment of Claims of Indemnity; and Abatement of Hail Indemnity Tax and Correction of Records and Declaring an Emergency.

Also,

Senate Bill No. 120. A Bill for an Act to Amend and Re-enact Section 2 of That Certain Initiated Law Entitled, "An Act Declaring Mortgages on Growing and Unharvested Crops to be Against the Public Policy of This State, and Abolishing the Same." Approved and Adopted by the Electors at the June 29th, 1932, Primary Election, Repealing Chapter 150, Session Laws of 1933, and Declaring an Emergency.

And find the same correctly re-engrossed.

Also,

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, and Sub-section (b) of Section 4, and Section 13 of Chapter 215, Session Laws of 1931.

And find the same correctly engrossed.

Also,

Senate Bill No. 4. A Bill for an Act Making an Appropriation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

Also,

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Also,

Senate Bill No. 7. 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.

Also,

Senate Bill No. 9. A Bill for an Act Making an Appro-

priation to Pay the Burial Expenses of Inmates of the Penitentiary and State Training School as Prescribed by Section 11302 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 10. A Bill for an Act Making an Appropriation to Pay Expenses of Erecting Headstones Over the Graves of Soldiers, Sailors, and Marines of the United States War of the Rebellion.

Also,

Senate Bill No. 72. A Bill for an Act to Amend and Re-enact Section 922, Compiled Laws of 1913, Relating to Posting of Notices of Primary Election.

Also,

Senate Bill No. 82. A Bill for an Act to Amend and Re-enact Section 2203, Supplement to the Compiled Laws of 1913, Providing for the Assignment of Tax Sale Certificates Held by the County, Amount to Be Paid for an Assignment Thereof, and Prescribing the Form of Such Assignment.

Also,

SENATE CONCURRENT RESOLUTION K

A Concurrent Resolution authorizing the Board of Capitol Commissioners to use part of the Capitol Building Funds to purchase chairs to be used in and about the Capitol Building.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

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

REPORT OF STANDING COMMITTEES

The Committee on Cities and Municipalities made the following report:

Mr. President: Your Committee on Cities and Municipalities to whom was referred:

Senate Bill No. 114. A Bill for an Act Relating to Funding and Refunding Existing Indebtedness of Municipalities and Declaring an Emergency.

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

In Line 8 of Section 1 after the word "contracts" insert the word "judgments".

In Line 9 of Section 1 after the word "general" insert the words "or special".

In Line 35 of Section 4 strike out the word "third" and insert in lieu thereof the word "fifth".

In Line 31 of Section 6 strike out the word "may" and insert in lieu thereof the word "shall".

In Line 32 of Section 6 after the word "all" strike out the words "or any part".

In Line 33 of Section 6 after the word "bonds" strike out the word "or" and insert the following language: "and ratio of outstanding taxes against the ratio of".

And wher so amended recommend the same do pass.

G. A. JONES,
Chairman.

Senator Cain moved to withdraw his pending motion on Senate Bill No. 114.

Which motion prevailed.

Senator Cain moved that the Committee report on Senate Bill No. 114 be amended as follows:

In line 8, section 1, after the word "contract" delete the word "judgment".

In line 9, section 1, delete the words "or special".

Line 24, page 4 the word "three" be stricken out and the word "five" inserted in lieu thereof.

Which motion prevailed.

Senator McGillic moved that Senate Bill No. 114 be amended as follows:

The words "in its discretion" be stricken from the engrossed bill.

Which motion prevailed.

Senator Cain moved that Senate Bill No. 114 be amended as follows:

Strike out the word "warrants" in paragraph 1, line 8 and after the word "and" in the same line add the words "warrants and".

Which motion prevailed.

Senator Cain moved that the report as amended be adopted, which motion prevailed and the report was adopted.

The Committee on Game and Fish made the following report:

Mr. President: Your Committee on Game and Fish to whom was referred:

Senate Bill No. 197. A Bill for an Act to Amend Section 22, Chapter 148 of the 1931 Session Laws as Amended by Chapter 121 of the 1933 Session Laws, Relating to Resident License. Cost. How Issued. Applications. Forms. Game and Fish Shipment, and Declaring an Emergency.

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

W. S. HANDLEY,
Chairman.

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

The Committee on Game and Fish made the following report:

Mr. President: Your Committee on Game and Fish to whom was referred:

Senate Bill No. 188. A Bill for an Act Creating a North Dakota Game and Fish Department Under the Control and Supervision of the Game and Fish Commission of North Dakota, Defining the Powers and Duties of the Commission, Transferring to the Commission Certain Powers and Duties and Repealing Chapter 130 of the 1929 Session Laws, Chapter 120 of the 1933 Session Laws and All Other Acts and Parts of Acts in Conflict Herewith.

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

W. S. HANDLEY,
Chairman.

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

The Committee on Game and Fish made the following report:

Mr. President: Your Committee on Game and Fish to whom was referred:

House Bill No. 64. A Bill for an Act to Amend and Re-enact Section 35 of Chapter 148 of the 1931 Session Laws, Relating to the Bag and Possession Limits on Protected Game Birds.

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

W. S. HANDLEY,
Chairman.

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

The Committee on Game and Fish made the following report:

Mr. President: Your Committee on Game and Fish to whom was referred:

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 148 of the Session Laws of 1931, as Amended by Chapter 120 of the Session Laws of 1933, Relating to the Disposition of Money Collected by the Game and Fish Commissioner, and Providing for the Creation of a Game Conservation Fund, and Defining the Use of Such Fund.

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

W. S. HANDLEY,
Chairman.

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

Senator Handley moved that Senate Bills No. 188 and 196 be re-referred to the Committee on Appropriations.

Which motion prevailed.

Senator Erickson submitted as a Select Committee report information that bids had been submitted by the Butler Studio and Rembrandt Studio covering legislative photography in the amount of \$50 and \$45 respectively.

Senator Erickson moved that a vote be taken on the bids as submitted at this time.

Senator Peterson moved as a substitute motion that the Senate accept the bid offered by the Rembrandt Studio, same to be charged to legislative expense.

Senator Brostuen moved that further consideration of the motion by Senator Peterson be indefinitely postponed.

Which motion was lost.

ROLL CALL

The question being on the substitute motion of Senator Peterson to accept the offer of the Rembrandt Studio of Bismarck to photograph Members of the Senate at a cost of \$45.00, same to be charged to Legislative expense, the roll was called and there were ayes, 35; nays, 12; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.
Bonzer
Braaten
Cain
Coffey

Messrs.
Johnson
Jones
Kamrath
Kolpin

Messrs.
Nelson, Grand F'ks.
Owings
Peterson
Strehlow

Messrs.	Messrs.	Messrs.
Crandall	Kroeber	Stucke
Drew	Lind	Thatcher
Dubay	Lynn	Thorson
Eastgate	Matthaei	Topp
Erickson	McDonald	Trout
Ettestad	McGillic	Vinje
Fine	Mutchler	Young
Greene, Cavalier	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Handley	Trovatten
Fowler	Lemke	Watt
Fredrickson	Marshall	Whelan
Greene, Stutsman	Miklethun	Wog

Absent and not voting:

Messrs.	Messrs.
Gronvold	Lowe

So the motion prevailed and the Rembrandt Studio was chosen to photograph the Senators.

Senator Kamrath moved that all absent Senators be excused.

Which motion prevailed.

Senator Cain asked unanimous consent to proceed to the Twelfth Order of Business.

Which request was granted.

Senator Fowler moved that Senate Bill No. 98 be laid over until Monday.

Which motion prevailed.

Senator Whelan moved that Senate Bill No. 100 be laid over until Monday.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber,
Bismarck, North Dakota,
February 16, 1935.

Mr. President: I have the honor to transmit herewith the following:

HOUSE CONCURRENT RESOLUTION A-15

Which the House has adopted and your favorable consideration is respectfully requested.

Very respectfully,
WALTER S. MARTIN,
Chief Clerk.

Senator Cain moved that after the first reading of Senate Bills and announcements the Senate recess until 1:00 o'clock Monday.

Which motion prevailed.

FIRST READING OF SENATE BILLS

Senators Stucke and Mutchler introduced:

Senate Bill No. 273. A Bill for an Act to appropriate the Sum of One Thousand Dollars (\$1,000.00) From Any Moneys in the State Highway Fund for the Purpose of Making a Preliminary Survey and Soundings for the Construction of a Bridge Across the Little Missouri River at or Near the Intersection of the Little Missouri River With the Trail Passing South of Independence and Crossing Section Twenty-seven (S. 27), Township One Hundred Forty-eight (T. 148), Range Ninety-one (R. 91) Dunn County, North Dakota, Approximately Four Miles Northwest of the Fort Berthold Bridge, Also Known as the Four Bears Bridge, Under the Provisions of Chapter Seventy-three (73) of the Laws of North Dakota for the year Nineteen Hundred Nineteen (1919) (Sections 1952a1 and 1952a2 of the 1925 Supplement to the Compiled Laws of 1913) as Amended and Re-enacted by Chapter 161, Laws of 1927, as Amended and Re-enacted by Chapter 140 of the Laws of 1929, and Directing the State Highway Commissioner Forthwith to Designate Said Trail as a Feeder Road to State and Federal Highway No. 8, and to Forthwith Make Said Soundings and Survey, and Select a Bridge Site; and Directing Said Highway Commissioner Forthwith to Construct Such Bridge, and Do All Necessary Preliminary Acts Therein.

Was read the first time and referred to the Committee on Highways.

Senator Fine introduced:

Senate Bill No. 274. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 162, Session Laws of North Dakota for the Year 1919, and Acts Amendatory Thereof, Which Said Section Relates to the Disbursing of Compensation From the Workmen's Compensation Fund, and the Conditions Under Which Such Disbursement Shall Be Made, and Providing for Payment During the Lifetime of Any Person Permanently Injured Sixty Percent, or More.

Was read the first time and referred to the Committee on State Affairs.

Senator McDonald introduced:

Senate Bill No. 275. A Bill for an Act Creating a City Board of Inspectors to Be Known as "Painters and Decorators Inspection Board" in Cities of Two Thousand Population or Over; Providing for the Appointment of the Members of the Said Board; Requiring All Painters, Decorators, and Paperhangers to Obtain Permits From Said City Board; Providing for the Inspection of Work of Painters, Decorators

and Paperhangers; Providing for the License Fee and Penalties for the Violation Thereof and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senator Bonzer introduced:

Senate Bill No. 276. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 177, Laws of North Dakota for 1927 as Amended by Chapter 182, Laws of North Dakota for 1931, Relating to the Coloring of Gasoline by the Use of a Harmless Dye.

Was read the first time and referred to the Committee on State Affairs.

Committee on Appropriations introduced:

Senate Bill No. 277. A Bill for an Act Authorizing the Board of Administration to Construct, Either Independently of or Jointly With the City of Grafton, a Sewage Disposal Plant for the Grafton State School and Making an Appropriation Therefor.

Was read the first time and referred to the Committee on State Affairs.

Committee on Appropriations introduced:

Senate Bill No. 278. A Bill for an Act Relating to Election Privileges Mentioned at Article 9 of Chapter 11 of the Political Code of North Dakota, Abolishing the Statutory Requirement That a Publicity Pamphlet Be Printed and Mailed in Connection With Certain Elections; Amending and Re-enacting Sections 923 and 928 of the Compiled Laws of North Dakota 1913 and Repealing Sections 924, 925, 926 and 927 of the Compiled Laws North Dakota, 1913; Repealing Sections 927a1 and 927a2 of the 1925 Supplement, and All Acts or Parts of Acts in Conflict Herewith; Providing When and How This Act May or May Not Become Effective.

Was read the first time and referred to the Committee on Appropriations.

Committee on Women's and Children's Welfare introduced:

Senate Bill No. 279. A Bill for an Act Amending and Re-enacting Section 4440a1 and 4446 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to Custody and Assignment of Children Prohibited in Certain Cases, Requiring Consent in Writing for Adoption of Child, Prohibiting Transfer of Guardianship Without Notice to the Board of Administration, Petition for Adoption, Notice to Board of Administration, Report of Board, Petition When Granted, and Repealing All Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Women's and Children's Welfare.

Senators Fine and Greene of Stutsman introduced:

Senate Bill No. 280. A Bill for an Act to Provide for the Establishment of County Debt Adjustment Boards, Prescribing the Duties and Powers of Such Boards and the Duties of the Judges and the Clerks of the District Courts as Regards Such Boards.

Was read the first time and referred to the Committee on State Affairs.

Senators Fine and Greene of Stutsman introduced:

Senate Bill No. 281. A Bill for an Act Relating to the Incorporation of Mutual Aid Non-Profit Corporations, and Defining Their Purposes and Powers and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senator Matthaei introduced:

Senate Bill No. 282. A Bill for an Act to Permit Mutual Cyclone and Tornado Insurance Companies to Insure its Members Against Fire or Lightning.

Was read the first time and referred to the Committee on Insurance.

Committee on Women's and Children's Welfare introduced:

Senate Bill No. 283. A Bill for an Act to Amend and Re-enact Section 9606a1 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Declaring it Unlawful to Place Certain Children in Almshouses or Other Institutions Without the Consent of the Board of Administration, With Certain Exceptions, Prohibiting Placing of Certain Children in the State Training School, and Repealing All Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Women's and Children's Welfare.

Senator Erickson introduced:

Senate Bill No. 284. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 161 of the Session Laws of the State of North Dakota for the Year 1919 (Section 1518 of the Supplement of 1925) Relative to the Retirement of Teachers Eligible to Annuity, Defining Eligibility and Fixing Time From Which Annuity is Payable.

Was read the first time and referred to the Committee on Education.

Senators Whelan, Greene of Stutsman and Fowler introduced:

Senate Bill No. 285. A Bill for an Act to License and Regulate the Business of Making Loans in Sums of Eight Hundred Dollars or Less, Secured or Unsecured, at a Greater

Rate of Interest Than the Existing Legal Rate of Interest, Prescribing the Rate of Interest and Charge Therefor and Penalties for Violations Therefor, and Regulating the Assignment of Wages or Salaries Earned or to Be Earned and the Execution of Chattel Mortgages, When Given as Security for Any Such Loan, and Declaring an Emergency.

Was read the first time and referred to the Committee on Banks and Banking.

Senator Bonzer introduced:

Senate Bill No. 286. A Bill for an Act Validating Payments Heretofore Made by the State or Municipalities for Payments of Workmen's Compensation Insurance; Authorizing Municipalities to Pay Such Premiums With Any Moneys Except Special Levies and to Draw Special Warrants for Premiums Where Funds Are Unavailable and Repealing All Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Insurance.

Senator Bonzer introduced:

Senate Bill No. 287. A Bill for an Act Authorizing the Workmen's Compensation Bureau to Carry, at Cost, Insurance for Employees on National Recovery Work Relief Highway Projects.

Was read the first time and referred to the Committee on Insurance.

Senator Brostuen (by request) introduced:

Senate Bill No. 288. A Bill for an Act Validating and Legalizing the Incorporation of the Village of Watford City, McKenzie County, North Dakota, as the City of Watford City, McKenzie County, North Dakota.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

Senator McDonald Introduced:

Senate Bill No. 289. A Bill for an Act to Amend and Re-enact Section 11100 of the Compiled Laws of the State of North Dakota Relating to Quorum and Majority Vote of Board Required to Grant Pardon, Providing for the Time of Meetings and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senators Young, Braaten and Topp introduced:

Senate Bill No. 290. A Bill for an Act Imposing a Tax Upon Dogs; Providing for the Assessment, Levy and Collection Thereof; Providing for the Issuance of License Tags for All Dogs Upon Which Said Tax is Assessed; Providing

for the Determination and Payment of Losses from Tax Collected Thereunder to the Owners of Livestock or Poultry Damaged by Dogs; Providing for the Killing of Dogs in Certain Cases; Providing for Hearing and Appeal; Imposing Powers and Duties on Certain County Officers and Employees, and Providing Penalties for the Violation of This Act, and Repealing all Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on Livestock.

Senator Brostuen (by request) introduced:

Senate Bill No. 291. A Bill for an Act Legalizing and Validating Bond Issues and the Increase of Debt Limits and Elections Held in Connection Therewith by the City of Watford City, McKenzie County, North Dakota.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

Senator Bonzer introduced:

Senate Bill No. 292. A Bill for an Act Amending Section 10254 of the Compiled Laws of 1913, Relating to Jumping of Hotel Bills and Bills for Food, Lodging, or Other Accommodations, at Any Hotel, Lodging House, Inn, Boarding or Eating House.

Was read the first time and referred to the Committee on State Affairs.

Senator McGillic (by request) introduced:

Senate Bill No. 293. A Bill for an Act Prohibiting the Sale, Removal, Material Injury or Destruction of Any Building or Other Improvements on Lands Upon Which There is an Unsatisfied Real Estate Mortgage of Record Held by the Government of the United States, or Any of its Agencies or Instrumentalities, or an Outstanding Sheriff's Certificate of Sale Under Foreclosure of Any Such Mortgage, or While Any Such Foreclosure Sale is Pending, Without the Written Consent of the Holder of Such Mortgage or Certificate of Sale, and Providing for a Penalty for Any Violation Thereof.

Was read the first time and referred to the Committee on Judiciary.

Committee on Taxes and Tax Laws introduced:

Senate Bill No. 294. A Bill for an Act to Amend and Re-enact Section 2346a11 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 253 of the 1933 Session Laws; Section 2346a20 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 4 of Chapter 253 of the 1933 Session Laws; Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Sub-section 4

of Section 4 of Chapter 283 of the 1931 Session Laws, Relating to the Taxation of Income of Individuals, Fiduciaries and Corporations; Repealing That Portion of Section 2346a46 of the Supplement to the Compiled Laws of 1913 as was Amended and Re-enacted by Paragraph (b) of Sub-section 4 of Section 6 of Chapter 283 of the 1931 Session Laws and Repealing Sub-section 7 of Section 4 of Chapter 283 of the 1931 Session Laws, and Repealing Sub-section 7 of Section 2346a30 of the 1925 Supplement to the Compiled Laws, and All Other Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

Senators Brostuen, Lind and Wog (by request) introduced:

Senate Bill No. 295. A Bill for an Act to Permit Boards of County Commissioners to Set Aside and Transfer for Park and Recreational Purposes Lands Acquired by the County Through Tax Deeds, and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senators Brostuen, Lind and Wog (by request) introduced:

Senate Bill No. 296. A Bill for an Act to Provide for the Creation of Water Conservation Districts; to Provide for Water Conservation Commissioners and Fix Their Powers and Duties; to Provide for a State Water Conservation Commissioner and Fix His Powers and Duties; to Provide for the Acquisition of Property Rights and the Assessment of Benefits Against the Property Affected, and to Provide for the Levy of Special Assessments and Prescribing the Duties of County Commissioners Relating to Water Conservation Projects, and Declaring an Emergency.

Was read the first time and referred to the Committee on Irrigation and Drainage.

Senator Brostuen introduced:

Senate Bill No. 297. A Bill for an Act Providing for the Cancellation of Record of Certain Chattel Mortgages and Certain Written Agreements Relating to Personal Property, by the Register of Deeds, for Cancelling Certain Bills of Sale, Requiring Assignments of Chattel Mortgages to Be Filed Before the Filing of Affidavit of Renewal or Satisfaction, and Repealing All Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Judiciary.

Committee on State Affairs introduced:

Senate Bill No. 298. A Resolution to Appoint and Designate the Official Photographer for the Senate of the Twenty-fourth Legislative Assembly of the State of North Dakota,

and to Provide for the Making of a Group Picture of the Members of Such Body for Hanging in the Capitol; and for Payment Thereof.

Was read the first time.

Senator Fowler moved that further consideration of Senate Bill 298 be indefinitely postponed.

Which motion prevailed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Russel Stuart, Ronold Peterson, Lawrence Fine, Donald Erickson, Miss Esther Erickson, Miss Catherine Ray, Lynn Stambaugh, T. O. Kraabel and Ed Kraus of Fargo; Bert Halligan, Chicago; Spencer Boise of Bismarck; Alvin Johnson of Edgeley; C. J. Robideau of LaMoure; M. T. Lillehaugen and K. L. Nelson of Brouck; C. J. Hanson of Litchville; H. C. Dolly and H. Sern of Arnegard; M. M. Millhouse of Williston; J. R. Carley and R. A. Rottweiler of Grand Forks; Fred L. Clough of Emrick; Henry Smith of Heaton; T. L. Henry of Valley City; Anton Christ of Leal; Mr. and Mrs. George Medley of Leal; Orphia Muus of Minot; Harley Robertson, Norm Diamond, Rollie Avery, Pat Dayton, Vernie Runnestrand, Robert Peterson, Dennis Huntley, Sam Nelson, Donald Pepke, Bud Mannes, Tom Machenroth, Red Roland and Ronnie Davy of Minot; Gregg Dahners of Mandan; Mrs. J. P. Cain and J. P. Cain, Jr., of Dickinson.

The Senate stood recessed pursuant to the previous motion of Senator Cain.

F. E. TUNELL,
Secretary.

FORTIETH DAY AFTER RECESS AND THE
FORTY-SECOND DAY

Senate Chamber,
Bismarck, North Dakota,
February 18, 1935.

The Senate convened at 1:00 P. M., pursuant to recess,
President pro tem. Marshall presiding.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 16, 1935.

Mr. President: I have the honor to return:

Senate Bill No. 63. A Bill for an Act Providing for the Appointment and Removal at Pleasure of a Procurement Officer as Required Under the Rules and Regulations of the Act of Congress Known as the Emergency Conservation Work Act, and of an Assistant, Fixing Their Salary and Making Appropriation Therefor, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the House has amended.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Fredrickson moved that the Senate do concur in the House amendment to Senate Bill No. 63.

Which motion prevailed.

Senator Fredrickson moved that the rules be suspended and that Senate Bill No. 63, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 63. A Bill for an Act Providing for the Appointment and Removal at Pleasure of a Procurement Officer as Required Under the Rules and Regulations of the Act of Congress Known as the Emergency Conservation Work Act, and of an Assistant, Fixing Their Salary and Making Appropriation Therefor, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Crandall	Lemke	Stucke
Drew	Lind	Thatcher
Dubay	Lynn	Thorson
Eastgate	Marshall	Topp
Erickson	Matthaei	Trout
Ettestad	McDonald	Trovatten
Fine	McGillic	Vinje
Fowler	Miklethun	Watt
Fredrickson	Mutchler	Whelan
Greene, Cavalier	Nelson, Barnes	Wog
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Lowe
Greene, Stutsman	Kamrath	Young

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Fredrickson moved that the vote by which Senate Bill No. 63 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 18, 1935.

Mr. Speaker: I have the honor to request you to return Senate Bill No. 57 to the Senate, same having been re-

referred to the Senate committee on State Affairs on February 1, 1935.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 18, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 63.

Very respectfully,

F. E. TUNELL,
Secretary.

FIRST READING OF SENATE BILLS

Senator Jones introduced:

Senate Bill No. 299. A Bill for an Act Authorizing the Governing Boards of Cities to Provide Group Life, Health and Accident Insurance on the Employees of Said City and to Pay the Premiums Thereon and Declaring an Emergency.

Was read the first time and referred to the Committee on Insurance.

Senator Kroeber introduced:

Senate Bill No. 300. A Bill for an Act to Amend and Re-enact Section 3591a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Requiring Cities to Publish in the Official Paper Proceedings of the City Councils With Certain Cities Excepted, and Repealing All Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

Senators Fine and Matthaai introduced:

Senate Bill No. 301. A Bill for an Act to Repeal Chapter 138 of the Laws of North Dakota for 1929 Relating to the Storage of Grain Upon Farms and on or Near Railway Rights-of-way Within the State of North Dakota; Regulating the Same for the Purpose of Procuring Loans Upon Such Grain; Making Provisions for the Issuance of Negotiable Warehouse Certificates Upon Grain so Stored, Not in a Public Warehouse; Creating the Office of "Grain Storage Commissioner of North Dakota," Prescribing His Duties and Empowering Him to Make Rules and Regulations Necessary or Advisable to the Purposes of Such Act; Making Appropriation for the Carrying Out of the Provisions and Purposes of Such Act; Prescribing Penalties for the Violation of the Provisions Thereof; and Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on Warehouse and Grain Grading.

Senators Nelson, Grand Forks, Brostuen and Erickson introduced:

Senate Bill No. 302. A Bill for an Act to Regulate Collection Agencies, and for the Protection of the People in General from Unscrupulous and Irresponsible Agents and Individuals Calling Themselves Collection Agencies.

Was read the first time and referred to the Committee on State Affairs.

Senator Watt introduced:

Senate Bill No. 303. A Bill for an Act to Amend and Re-enact Chapter 166 of the Session Laws of 1929 as the Same Amends and Re-enacts Sections 2, 3, 4, 5, and 6 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; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; 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 time and referred to the Committee on Taxes and Tax Laws.

Committee on Taxes and Tax Laws introduced:

Senate Bill No. 304. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing Senate Bill No. 263 Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Acts or Parts of Acts in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof;" and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senator Handley introduced:

Senate Bill No. 305. A Bill for an Act Providing for the Payment of a Bounty on Crows and Crow Eggs.

Was read the first time and referred to the Committee on Livestock.

Senator Eastgate (by request) introduced:

Senate Bill No. 306. A Bill for an Act Authorizing the Governor to Enter Into Agreements with the President of the United States Under an Act of Congress Entitled "An Act for the Relief of Unemployed Through the Performance of Useful Public Work, and for Other Purposes," Approved March 31, 1933, and Other Acts Supplemental Thereto; Authorizing the Governor to Enter Into Agreements With Private Land Owners, Declaring the Rights and Duties of the Conservation Commission and of Such Land Owner Thereunder and Providing Procedure for Giving Notice to Mortgagees and Lien Holders Against Lands Affected.

Was read the first time and referred to the Committee on Judiciary.

Senator Fine introduced:

Senate Bill No. 307. A Bill for an Act Prohibiting Packers from Purchasing or Acquiring Livestock for the Purpose of Feeding and Fattening the Same, or for any Purpose Other Than the Slaughtering and Processing Thereof in a Packing Plant or Plants Owned, Operated or Controlled Directly or Indirectly by Such Packers, and Regulating the Business of Packers Within the State of North Dakota.

Was read the first time and referred to the Committee on Agriculture.

Committee on Appropriations introduced:

Senate Bill No. 308. A Bill for an Act Making an Appropriation for the Payment of the Judgment of the Ford Motor Company, a Corporation, Against the State of North Dakota.

Was read the first time and referred to the Committee on Appropriations.

Senators Whelan and Peterson introduced:

Senate Bill No. 309. A Bill for an Act Authorizing the Filing in of Printed Blank Instruments Used in the Transfer, Mortgaging, or Leasing of Real and Personal Property and Acquiring Statutory Liens by Others Than a Regularly Licensed Attorney, Repealing Conflicting Laws, and Declaring an Emergency.

Was read the first time and referred to the Committee on Judiciary.

Senator Whelan introduced:

Senate Bill No. 310. A Bill for an Act Authorizing Counties, Cities, Villages, School Districts and Park Districts to Accept Devises, Bequests, Legacies and Gifts, Provided That the Title Thereto Shall Be Held in Trust; Regulating the Handling and Use of Such Property and its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made; and Declaring an Emergency.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

Senators Fine and Greene introduced:

Senate Bill No. 311. A Bill for an Act to Authorize Building and Loan Associations to Insure Members' Investments in Federal Savings and Loan Insurance Corporation and to Insure Their Mortgages with Federal Housing Administration; to Provide for the Conversion of Building and Loan Associations and Other Home Financing Organizations Into Federal Savings and Loan Associations, Prescribing the Procedure Therefor, Defining the Results Thereof, and Providing for the Indebtedness of Such Associations.

Was read the first time and referred to the Committee on State Affairs.

Senator Owings (by request) introduced:

Senate Bill No. 312. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 243 of the Session Laws of 1933, Relating to Employment of Labor of Prisoners in the State Penitentiary, for the Sale of the Products of Said Labor, the Use of Receipts from Said Sales and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on State Affairs.

Committee on Taxes and Tax Laws introduced:

Senate Bill No. 313. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; to Make an Appropriation for the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

Senator Bonzer introduced:

Senate Bill No. 314. A Bill for an Act Creating the De-

partment of Seeds Under the Control and Supervision of the Commissioner of Agriculture and Labor; Defining the Powers and Duties of Said Commissioner; Transferring to Said Department of Seeds the Powers and Duties Now Held by the State Seed Commissioner and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Agriculture.

Senator McGillic introduced:

Senate Bill No. 315. A Bill for an Act to Amend and Re-enact Section 4688 All of the 1925 Supplement to the Compiled Laws of North Dakota, of 1913, Relating to Abolition of Railroad Crossings, the Construction and Maintenance of Overhead and Underground Crossings and Separate Grades and Providing for the Apportionment of the Costs Thereof.

Was read the first time and referred to the Committee on State Affairs.

Senators Fine, Trout and Thatcher introduced:

Senate Bill No. 316. A Bill for an Act Providing for the Regulating and Licensing of Retail Coal Dealers, and Defining Coal Dealers, Providing for Collection of License Fees, Providing Procedure and Grounds for Suspension or Cancellation of Such License, to Provide for Cooperation by the State in Enforcing Certain Federal Labor Policies and Providing That the Funds Realized Hereunder Shall Be Paid Into the State Equalization Fund, and Making the Violation of its Terms a Misdemeanor.

Was read the first time and referred to the Committee on State Affairs.

Senators Miklethun, Fine, Kolpin and Stucke introduced:

Senate Bill No. 317. A Bill for an Act Providing for a Registration Tax on All Sheriffs and Other Certificates of Sale in All Real Estate Mortgage Foreclosures; Requiring Said Registration Tax to Be Paid to the County Treasurer Before Such Certificates of Sale Are Filed for Record, or Recorded, in the Office of the Register of Deeds; Providing for County Treasurers Certificate of Payment of Registration Tax Before Such Certificates of Sale Shall Be Eligible for Record; Providing for Disposition of Registration Tax Funds and Providing Penalty for Violation of the Provisions of This Act.

Was read the first time and referred to the Committee on Judiciary.

Senators Thatcher, Trout and Fine introduced:

Senate Bill No. 318. A Bill for an Act Levying and Assessing a Tax Upon the Seating Capacity of All Moving Picture Theaters in the State of North Dakota; Providing for Collection of Said Tax; Making Disposition of the Amount Collected; Making Unlawful the Operation of Moving Picture

Theaters Until the Tax Imposed is Paid; Requiring the State Regulatory Department to Enforce the Provisions of This Act and Imposing a Penalty for Violation Thereof.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

SENATE CONCURRENT RESOLUTION "Y"

Introduced by Committee on Appropriations

A Concurrent Resolution to Amend and Re-enact Section 25 of Article II of the Constitution of the State of North Dakota as last amended and re-enacted by Article 26 of the Amendments Thereto Relating to Initiative and Referendum of Measures, and Eliminating Requirement that Measures Initiated or Referred be Printed in a Publicity Pamphlet.

BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the following amendment to Section 25 of Article II of the Constitution of the State of North Dakota as last amended by Article 26 of the Amendments thereto, be agreed upon and submitted to the qualified electors of the State of North Dakota for approval or rejection in accordance with the provisions of Section 202 of Article XV, as amended, of the Constitution of the State of North Dakota.

AMENDMENT.) That Section 25 of Article II of the Constitution of the State of North Dakota as last amended by Article 26 of the Amendments thereto, be amended and re-enacted to read as follows:

Sec. 25. The legislative power of this state shall be vested in a legislature consisting of a senate and a house of representatives. The people, however, reserve the power, first to propose measures and to enact or reject the same at the polls; second, to approve or reject at the polls any measure or any item, section, part or parts of any measure enacted by the legislature.

The first power reserved is the initiative. Ten thousand electors at large may propose any measure by initiative petition. Every such petition shall contain the full text of the measure and shall be filed with the Secretary of State not less than ninety days before the election at which it is to be voted upon.

The second power reserved is the referendum. Seven thousand electors at large may, by referendum petition, suspend the operation of any measure enacted by the legislature, except an emergency measure. But the filing of a referendum petition against one or more items, sections or parts of any measure, shall not prevent the remainder from going into effect. Such petition shall be filed with the Secretary of State not later than ninety days after the adjournment of the session of the legislature at which such measure was enacted.

Each measure initiated by or referred to the electors, shall be submitted by its ballot title, which shall be placed upon the ballot by the Secretary of State and shall be voted upon at any state-wide election designated in the petition, or at a special election called by the Governor. The result of the vote upon any measure shall be canvassed and declared by the board of canvassers.

Any measure, except an emergency measure, submitted to the electors of the state, shall become a law when approved by a majority of the votes cast thereon. And such law shall go into effect on the 30th day after the election, unless otherwise specified in the measure.

If a referendum petition is filed against an emergency petition such measure shall be a law until voted upon by the electors. And if it is then rejected by a majority of the votes cast thereon, it shall be thereby repealed. Any such measure shall be submitted to the electors at a special election if so ordered by the Governor, or if the referendum petition filed against it shall be signed by thirty thousand electors at large. Such special election shall be called by the Governor, and shall be held not less than one hundred nor more than one hundred thirty days after the adjournment of the session of the legislature.

The Secretary of State shall pass upon each petition, and if he finds it insufficient, he shall notify the "Committee for the Petitioners" and allow twenty days for correction or amendment. All decisions of the Secretary of State in regard to any such petition shall be subject to review by the supreme court. But if the sufficiency of such petition is being reviewed at the time the ballot is prepared, the Secretary of State shall place the measure on the ballot and no subsequent decision shall invalidate such measure if it is at such election approved by a majority of the votes cast thereon. If proceedings are brought against any petition upon any ground, the burden of proof shall be upon the party attacking it.

No law shall be enacted limiting the number of copies of a petition which may be circulated. Such copies shall become a part of the original petition when filed or attached thereto. Nor shall any law be enacted prohibiting any person from giving or receiving compensation for circulating the petitions, nor in any manner interfering with the freedom in securing signatures to petitions.

Each petition shall have printed thereon a ballot title, which shall fairly represent the subject matter of the measure, and the names of at least five electors who shall constitute the "committee for the petitioners" and who shall represent and act for the petitioners.

The enacting clause of all measures initiated by the electors shall be: "Be it enacted by the people of the State of North Dakota." In submitting measures to the electors,

the Secretary of State and all other officials shall be guided by the election laws until additional legislation shall be provided.

If conflicting measures initiated by or referred to the electors shall be approved by a majority of the votes cast thereon, the one receiving the highest number of affirmative votes shall become the law.

The word "measure" as used herein shall include any law or amendment thereto, resolution, legislative proposal or enactment of any character.

The veto power of the Governor shall not extend to the measures initiated by or referred to the electors. No measure enacted or approved by a vote of the electors shall be repealed or amended by the legislature, except upon a yeá and nay vote upon roll call of two-thirds of all the members elected to each house.

This section shall be self-executing and all of its provisions treated as mandatory. Laws may be enacted to facilitate its operation, but no laws shall be enacted to hamper, restrict or impair the exercise of the rights herein reserved to the people.

Referred to the Committee on State Affairs.

SENATE CONCURRENT RESOLUTION No. "Z"

Introduced by Senators Peterson and Brostuen

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING:

WHEREAS, Federal Authorities have made it known that a large sum of money has been set aside for worthy public projects providing employment; and,

WHEREAS, Surveys heretofore made in connection with the construction of the Missouri River Bridge at Sanish disclose that the possibilities of securing permanent footings for a dam on the Missouri River at or near the location of said bridge are excellent; and,

WHEREAS, It would appear that a dam not to exceed 60 feet in height will produce an artificial lake at least three and one-half miles in width and ninety miles in length and said lake would provide recreational facilities for a great number of people who are now far removed from such facilities; and,

WHEREAS, A dam at or near said point would be located in the heart of the Lignite Coal Fields of the state and would furnish an unlimited amount of cheap power to generate electricity to be used in the future development of the Lignite industry; and,

WHEREAS, the project connected with the building of

said dam would provide a great deal of labor for people who are in need of employment; and

WHEREAS, such dam could be constructed without interfering with any Indian Lands or Reservations as the same are now established:

THEREFORE, BE IT RESOLVED: That Féderal Public Works Administrator and all who are in position to furnish aid be urged to set aside such sum as shall be necessary for the purpose of making an immediate preliminary survey of the territory herein referred to in order to determine the possibility and feasibility of building of a dam at or near the village of Sanish, and to take such other steps as shall be necessary or convenient in connection therewith.

Referred to the Committee on State Affairs.

SENATE CONCURRENT RESOLUTION NO. "A-a"

Introduced by Senator Matthaei

WHEREAS, Agriculture is the basic industry of the State, and,

WHEREAS, due to the lack of income to the farmers of the State by reason of their not receiving cost of production for the commodities produced by them, and,

WHEREAS, due to the financial bankruptcy of the farmer, all business in the State which is directly or indirectly dependent on Agriculture, being in equally bad financial straits, with the consequent results that but few taxes have been paid during the past several years, and the prospects for State income for the future are steadily growing worse, and,

WHEREAS, the condition of the State Treasury is such that the money of almost every fund has been exhausted, and the State Treasurer has already borrowed \$450,000.00 on certificates of indebtedness, and

WHEREAS, present indications are that for some time to come the cost of State Government will largely exceed the amount of State income, and,

WHEREAS, North Dakota, with its small population of some 600,000 inhabitants has two schools of higher education in North Dakota, viz., University of North Dakota at Grand Forks and the Agricultural College at Fargo, in which institutions there is a duplication of work notably in Engineering, and

WHEREAS, instruction at these two institutions, while retaining to the State full and efficient use of their entire physical equipment, could be reorganized so that the University of North Dakota should offer the classical and humanistic groups of study with sole degree-granting powers

in those fields and the Agricultural College should offer the science and technological groups of study with sole degree-granting powers in those fields, and,

WHEREAS, the University could best offer the courses in Liberal Arts, Fine Arts, Education, Business, Social Science, Journalism, Economics, Law, Medicine, etc., while the Agricultural College could best offer the courses in Agriculture, Architecture, Engineering, Education, Home Economics, Chemistry, Pharmacy, the Sciences, etc., it is the spirit and intent of this Resolution to effect a vertical division of the work in higher education between these two institutions, placing equal emphasis upon the work allocated to each and according to each equal importance and prestige, and,

WHEREAS, such re-organization of work and consequent elimination of unnecessarily duplicated courses, will not only effect very considerable immediate savings for which the State is now in dire need but will also effect a comparable saving for the life of the State and the institutions by so re-organizing the work in our two institutions of higher education that serious duplication hereafter becomes an impossibility, and,

WHEREAS, such re-organization will not only make a very considerable saving to this State but will also result in increased efficiency and effectiveness in our institutions of higher learning, and will to a large extent end the biennial bickering and jockeying for preferment with the Legislature,

NOW THEREFORE, BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING:

That commencing with the school year of 1935-36, the University of North Dakota and the North Dakota Agricultural College be re-organized with the University offering courses in Liberal Arts, Fine Arts, Education, Business, Social Sciences, Economics, Journalism, Law, Medicine, etc., and with the Agricultural College offering courses in Agriculture, Architecture, Engineering, Education, Home Economics, Chemistry, Pharmacy, the Sciences, etc., all as heretofore set forth.

The Board of Administration is hereby instructed and directed to so effect the organization of these two institutions so that there will be no further unnecessary duplication of work, and in order to carry out the provisions of this Resolution, all equipment, apparatus, supplies, records, etc., appertaining to any work transferred by order of this Resolution, shall be transferred to the institution to which it properly belongs.

BE IT FURTHER RESOLVED that the Board of Administration be directed and instructed to effect this re-organization. It shall be the immediate duty of the presidents of these institutions, acting under the direction of the

Board of Administration, to so organize and expedite the work of consolidation in their respective institutions as to affect it in full accord with the intent and spirit of this Resolution and that it shall hereafter be their further duty to so direct the work of their respective institutions as to comply with this Resolution.

Referred to the Committee on State Affairs.

SENATE CONCURRENT RESOLUTION NO. "A-b"

Introduced by Senators Miklethun and Fine

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING,

WHEREAS, The United States Constitution under Article 1, Section 8, providing for powers granted to Congress among other things specifically provides "the Congress shall have power to coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures.

WHEREAS, this function and governmental power has been turned over to the National Banks; and thereby placed in the practical control of such Banks; and,

WHEREAS, the use and abuse of this power has placed the economic direction and control of our country in the hands of a few men, and thereby determining its destiny; and,

WHEREAS, by reason of the delegation of this governmental power, a few men own the great mass of wealth and property in this country; and,

WHEREAS, the result of such system was foretold by Jefferson who said, "Already they have raised up a money aristocracy that has set the government at defiance. The issuing power should be taken from the banks and restored to the government, and the people, to whom it rightfully belongs," and Lincoln said, "The money power of the country will endeavor to prolong its reign by working upon the prejudices of the people, until all wealth is aggregated in a few hands and the Republic is destroyed. I feel at this time more anxious for my country than even in the midst of war," and Woodrow Wilson said, "The great monopoly in this country is the money monopoly. So long as that exists our old variety and freedom and individual energy of development are out of the question. . . . This is the greatest question of all; and to this, statesmen must address themselves with an earnest determination to serve the long future and the true liberties of men"; and,

WHEREAS, it is necessary that this great power be restored to the government and its people, even tho the hour is late,

NOW THEREFORE, we urge upon Congress the passage of all necessary laws to re-establish the issuing of money as a monopoly of government, and that there be established a system of government banks exclusively owned, to the end that a banking system be provided for the people at cost.

Be it further resolved that copies of this resolution be sent to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and the Senators and Congressmen from North Dakota.

Referred to the Committee on State Affairs.

SENATE CONCURRENT RESOLUTION NO. "A-c"

Introduced by Senator Thatcher

Memorializing Congress to Establish Prices on Major Farm Products That Will Insure Cost of Production Plus a Reasonable Profit.

WHEREAS, the Government of the United States has assisted practically every class of business in the Nation to carry on during this period of depression, and

WHEREAS, to do so Codes have been formulated and regulations and rules have been agreed upon to allow a return for money invested and labor performed, and

WHEREAS, the farming industry, the largest industry of this United States, an industry in which nearly a third of our population is actively engaged, and

WHEREAS, this industry is the life blood of the nation, the real producer of all wealth and conducted by an honest, untiring citizenry toiling long days and in many cases deprived of the luxuries and pleasures enjoyed by other classes and professions, and

WHEREAS, even in times of prosperity in other lines of business the farmer was, even by strict economy, gradually losing, and

WHEREAS, many thousands of farm homes have been lost annually, and which is lowering the morale of the greatest industry of our Nation and hindering the return of prosperity to this country at this time, and

WHEREAS, the cause for this condition of our farming industry has been "a price below the cost of production,"

NOW, THEREFORE, BE IT RESOLVED by the Senate of the State of North Dakota, the House of Representatives concurring, that this Legislative Assembly of North Dakota respectfully memorialize the Congress of the United States to establish prices on all major products of the farms of this Nation that will give the owners and tillers thereof the cost of production plus a reasonable profit, and

BE IT FURTHER RESOLVED, that attested copies of this resolution be sent to both Houses of the Congress of the United States, to each of the members thereof from this State, to the Secretary of Agriculture, all of Washington, D. C., and to the State Legislatures of the farming states of this Nation.

Referred to the Committee on State Affairs.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 4. A Bill for an Act Making an Appropriation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

Also,

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Also,

Senate Bill No. 7. 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.

Also,

Senate Bill No. 9. 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 Section 11302 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 10. A Bill for an Act Making an Appropriation to Pay Expenses of Erecting Headstones Over the Graves of Soldiers, Sailors, and Marines of the United States War of the Rebellion.

Also,

Senate Bill No. 72. A Bill for an Act to Amend and Re-enact Section 922, Compiled Laws of 1913, Relating to Posting of Notices of Primary Election.

Also,

Senate Bill No. 82. A Bill for an Act to Amend and Re-enact Section 2203, Supplement to the Compiled Laws of 1913, Providing for the Assignment of Tax Sale Certificates Held by the County, Amount to Be Paid for an Assignment Thereof, and Prescribing the Form of Such Assignment.

Also,

MONDAY, FEBRUARY 18, 1935

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SENATE CONCURRENT RESOLUTION No. "K"

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 18, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 104. A Bill for an Act to Prohibit the Employment of Married Women in All State or County Offices, Departments, Bureaus, Boards, and Commissions; and Providing a Penalty Therefor.

Also,

Senate Bill No. 131. A Bill for an Act Authorizing and Empowering the Governor to Accept a Conveyance in Trust of the Lands Comprising the International Peace Garden to the State of North Dakota; Setting Forth the Terms and Conditions of the Trust; Vesting the Custody, Control, Possession, Supervision, Management and Operation of Such Lands in the Board of Directors of the International Peace Garden, Inc.; Vesting in the State Historical Society General Supervision of Such Lands, and Expressly Empowering the State Historical Society to Co-operate in the Establishment, Promotion and Development of the International Peace Garden for the Purpose of Furthering International Peace Among the Nations of the World; Providing for the Duration of Such Trust, and Repealing All Acts, or Parts of Acts, in Conflict Herewith, and Declaring That an Emergency Exists for the Immediate Enactment of This Act.

Also,

Senate Bill No. 150. A Bill for an Act Empowering the State Historical Society to Acquire Lands for State Parks, State Monuments, and State Recreation Reserves, to Supervise, Control and Maintain Such State Parks, State Monuments, and State Recreation Reserves, Providing for the Appointment of a State Parks Committee, and Making an Appropriation Therefor.

Which the Senate has passed and your favorable consideration is respectfully requested.

Also,

Senate Bill No. 4. A Bill for an Act Making an Appropriation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

Also,

Senate Bill No. 6. A Bill for an Act Making an Appro-

priation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Also,

Senate Bill No. 9. 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 Section 11302 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 10. A Bill for an Act Making an Appropriation to Pay Expenses of Erecting Headstones Over the Graves of Soldiers, Sailors, and Marines of the United States War of the Rebellion.

Also,

Senate Bill No. 7. 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.

Also,

Senate Bill No. 72. A Bill for an Act to Amend and Re-enact Section 922, Compiled Laws of 1913, Relating to Posting of Notices of Primary Election.

Also,

Senate Bill No. 82. A Bill for an Act to Amend and Re-enact Section 2203, Supplement to the Compiled Laws of 1913, Providing for the Assignment of Tax Sale Certificates Held by the County, Amount to Be Paid for an Assignment Thereof, and Prescribing the Form of Such Assignment.

Also,

SENATE CONCURRENT RESOLUTION "K"

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Coffey moved that Senate Bill No. 98 be amended as follows:

After the figures "1927" in the title, insert the following language: "Governing Borrowing by Means of Bond Issues by Counties, Cities, Villages, Townships, School Districts, Park Districts and Other Municipalities as Defined Therein."

Which motion prevailed.

Senator Coffey moved that the rules be suspended and that Senate Bill No. 98, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion was lost.

Senator Cain moved that Senate Bill No. 98 be re-referred to the Committee on Cities and Municipal Corporations.

Which motion was lost.

Senator Stucke moved that further consideration of Senate Bill No. 98 be indefinitely postponed.

Senator Coffey moved as a substitute motion that Senate Bill No. 98 do pass.

Senator McGillic moved that Senate Bill No. 98 be referred to the Committee on Cities and Municipal Corporations.

Which motion prevailed.

Senator Bonzer moved that House Bill No. 80 be placed at the head of the Calendar.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 80. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 199 of Session Laws of 1933, Transferring Certain Duties From the Regulatory Department of the State of North Dakota, to the Office of the State Dairy Commissioner, and Providing for the Payment of Expenses Incident to the Carrying Out of Such Duties, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Erickson	Lind	Topp
Ettestad	Lynn	Trout

Messrs.	Messrs.	Messrs.
Fine	Marshall	Trovatten
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog

Those voting in the negative were:

Messrs.	Messrs.
Eastgate	Thorson

Absent and not voting:

Messrs.	Messrs.
Lowe	Young

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Fine asked unanimous consent to return to the Eleventh Order of Business.

Which request was granted.

FIRST READING OF SENATE BILLS

Senator Bonzer introduced:

Senate Bill No. 319. A Bill for an Act Prohibiting the Importation into This State of Diseased Nursery Stock and Providing for Inspection Thereof; Authorizing the Commissioner of Agriculture and Labor to Regulate and to Prohibit Importation and Shipment of Diseased Nursery Stock; Providing a Penalty for Violation Hereof; Repealing all Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the first time and referred to the Committee on Agriculture.

Senator Fine introduced:

Senate Bill No. 320. A Bill for an Act Providing That Agricultural Co-operative Associations Exempted Under the Provisions of the Federal Law Known as the Capper-Volstead Act Shall Be Exempt from the Filing of State Income Tax Returns and Payment of Income Tax, and Providing that the Attorney General May Require the Filing of Such State Income Tax Returns and Payment of Tax, Upon Proof of Violation of the Capper-Volstead Act and Repeal All Acts or Parts of Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

Senator Fine moved that the Senate do now adjourn.

Which motion prevailed.

FORTY-SECOND DAY

Senate Chamber,
Bismarck, North Dakota,
February 18, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Father Feehan.

Roll Call: All Senators were present except Senator Lowe.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Thirty-ninth Day after recess and the Fortieth Day and found the same correct.

And recommend that the same be approved.

R. A. OWINGS,
Chairman.

Senator Owings moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 18, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 80. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 199 of Session Laws of 1933, Transferring Certain Duties From the Regulatory Department of the State of North Dakota, to the Office of the State Dairy Commissioner, and Providing for the Payment of Expenses Incident to the Carrying Out of Such Duties, and Declaring an Emergency.

Which the Senate has amended.

Very respectfully,

F. E. TUNELL,
Secretary.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A resolution presented by Senator Topp, signed, S. V. McCarthy and seven other members of the Pleasant Prairie Parent-Teachers Association, regarding school legislation.

A petition presented by Senator Lind, signed, Mrs. Wm. J. Fluegel of the Grenora Parent-Teachers Association, regarding school legislation.

A resolution presented by Senator Watt, signed, Marjorie Adams and twenty-five others, regarding school legislation.

A resolution presented by Senator Crandall, signed, Florence W. Nix and seventeen others, regarding school legislation.

A resolution presented by Senator Erickson, signed, Mrs. Harold Schnider and thirty-one other members of the Dawson Parent-Teachers Association, asking Child Welfare legislation.

A resolution presented by Senator Fredrickson, signed, R. H. Mattson and twenty-eight other members of the Hamlin Parent-Teachers Association, regarding school legislation.

A petition presented by Senator Fredrickson, signed, W. L. Johnson and two others, asking a provision for high school correspondence courses.

Which were referred to the Committee on Education.

A petition presented by Senator McDonald, signed, Walter E. Vater and one hundred forty others in opposition to hard liquor.

A petition presented at the desk, signed by Floyd E. Logee and twenty-seven others against hard liquor legislation.

A petition presented by Senator Johnson, signed, Don J. Clingensmith and ninety-five others against hard liquor legislation.

Petitions in the form of one telegram and four letters presented by Senator Vinje in opposition to hard liquor legislation.

Which were referred to the Committee on Temperance.

A petition presented by Senator Fredrickson, signed, Elvera Peterson and one hundred eighty-six others, asking that the Mayville State Teachers College be kept open.

A petition from the boys of the Tappen vicinity asking a gopher bounty, was presented by Senator Erickson.

A petition presented by Senator Brostuen, signed, Elvera Peterson and eighty-seven others, in favor of keeping the Mayville Teachers' College open.

Which were referred to the Committee on Taxes and Tax Laws.

A petition presented by Senator Dubay, signed, Victor C. Jackson of the Rolla Commercial Club in support of the School of Forestry.

A petition presented by Senator Owings, signed, Theo. Grubb and forty-nine others, condemning Senate Bill No. 118.

Referred to the Committee on State Affairs.

A petition presented by Senator Drew, signed, John Brown and two other members of the Crary Livestock Shipping Association, endorsing the Weighing and Grading Bill.

A petition presented by Senator Watt, signed, Roy H. Combs of Farmers Union Local No. 1015, in support of the Weighing and Grading Bill.

Referred to the Committee on Agriculture.

A petition presented by Senator Fredrickson, signed, L. L. Rudrud, District Game Warden, with reference to game laws.

Referred to the Committee on Game and Fish.

A resolution presented by Senator Nelson, signed, the Grand Forks Taxpayer's Association, regarding legislation with reference to City Government.

Referred to the Committee on Cities and Municipal Corporations.

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. 104. A Bill for an Act to Prohibit the Employment of Married Women in All State or County Offices, Departments, Bureaus, Boards, and Commissions; and Providing a Penalty Therefor.

Also,

Senate Bill No. 114. A Bill for an Act Relating to Funding and Refunding Existing Indebtedness of Municipalities and Declaring an Emergency.

Also,

Senate Bill No. 131. A Bill for an Act Authorizing and Empowering the Governor to Accept a Conveyance in Trust of the Lands Comprising the International Peace Garden to the State of North Dakota; Setting Forth the Terms and Conditions of the Trust; Vesting the Custody, Control, Possession, Supervision, Management and Operation of Such Lands in the Board of Directors of the International Peace Garden, Inc.; Vesting in the State Historical Society General Supervision of Such Lands, and Expressly Empowering the State Historical Society to Co-operate in the Establishment, Promotion and Development of the International Peace Garden for the Purpose of Furthering International Peace Among the Nations of the World; Providing for the Duration of Such Trust, and Repealing All Acts, or Parts

of Acts, in Conflict Herewith, and Declaring That an Emergency Exists for the Immediate Enactment of This Act.

And find the same correctly re-engrossed.

Also,

Senate Bill No. 150. A Bill for an Act Empowering the State Historical Society to Acquire Lands for State Parks, State Monuments, and State Recreation Reserves, to Supervise, Control and Maintain Such State Parks, State Monuments, and State Recreation Reserves, Providing for the Appointment of a State Parks Committee, and Making an Appropriation Therefor.

And find the same correctly engrossed.

Also,

Senate Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 9 of the Session Laws of North Dakota of 1933, Relating to Wolf Bounty; and Declaring an Emergency.

Also,

Senate Bill No. 63. A Bill for an Act Providing for the Appointment and Removal at Pleasure of a Procurement Officer for State Park Emergency Conservation Work as Required Under the Rules and Regulations of the Act of Congress Known as the Emergency Conservation Work Act, and of Assistant, Fixing Their Salary and Making Appropriation Therefor, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 123. A Bill for an Act Providing for the Procuring of Coal Mine Licenses from the State Coal Mine Inspector, the Establishment of the State Coal Mining Safety Fund from Such Fees and for the Disbursement Thereof, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and Reporting Thereof to the State Coal Mine Inspector and Commissioner of Agriculture and Labor, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court from Such Order of Revocation, Providing

a Penalty for Failure to Comply with the Law, Repealing Sections 3081, 3082, 3083 and 3084 of the Compiled Laws of the State of North Dakota for the Year 1913 and all Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

At the end of Section 2 of the printed bill, add the following language, "Any funds remaining in said Coal Mine Safety Fund over and above the three thousand dollars (\$3,000.00) which may be expended yearly under the provisions of this law shall on June 30 of each year immediately be transferred to the general fund."

In line 8 of Section 3 of the printed bill after the word "therefor" insert a period and strike out the rest of the Section.

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 232. A Bill for an Act to Make an Appropriation to Provide for Payment of a Deficit in the Maintenance of the National Guard Fund.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the period at the end of the title, insert a comma in lieu thereof, and add the following language: "and Declaring an Emergency."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 148. A Bill for an Act Appropriating the Sum of Thirty Thousand (\$30,000.00) Dollars, or so Much

Thereof as May Be Required, to Reimburse the Bank of North Dakota for Certain Funds Loaned to the State Historical Society, for the Purpose of Purchasing State Park Lands.

Have had the same under consideration and recommend that the same be amended as follows:

In line one of the title strike out the following language and figures, "Thirty Thousand (\$30,000.00)" and insert in lieu thereof the following, "Twenty-eight Thousand (\$28,000.00)"

At the end of the title, strike out the period, insert a comma in lieu thereof and add the following language, "and Declaring an Emergency."

In lines 14 and 15 of the printed bill, strike out the following language and figures, "Thirty Thousand (\$30,000.00)" and insert in lieu thereof the following, "Twenty-eight Thousand (\$28,000.00)."

In line 18 of the printed bill, strike out the following, "did on.....," and insert in lieu thereof the following language, "did during."

In line twenty of the printed bill, strike out the following language and figures, "Thirty Thousand (\$30,000.00)" and insert in lieu thereof the following, "Twenty-eight Thousand (\$28,000.00)."

In line 3 of Section one of the printed bill, strike out the following language and figures, "Thirty Thousand (\$30,000.00)" and insert in lieu thereof the following, "Twenty-eight Thousand (\$28,000.00)."

At the end of the printed bill add the following new section:

"Section 2. An emergency is hereby declared to exist, and this act will be in force and effect from the date of its enactment and approval.

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

February 16, 1935.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 5. 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 Amendments There-to, and to Meet Other Requirements Prescribed by the Federal Statutes.

Also,

Senate Bill No. 66. A Bill for an Act to Provide for the Creation of a North Dakota Tax Survey Commission, Defining its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Very truly yours,

WALTER WELFORD,
Governor.

Senator Dubay moved that all absent Senators be excused.

Which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 63. A Bill for an Act Providing for the Appointment and Removal at Pleasure of a Procurement Officer for State Park Emergency Conservation Work as Required Under the Rules and Regulations of the Act of Congress Known as the Emergency Conservation Work Act, and of Assistant, Fixing Their Salary and Making Appropriation Therefor, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 9 of the Session Laws of North Dakota of 1933, Relating to Wolf Bounty; and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 18, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 63. A Bill for an Act Providing for the Appointment and Removal at Pleasure of a Procurement Officer for State Park Emergency Conservation Work as Required Under the Rules and Regulations of the Act of Congress Known as the Emergency Conservation Work Act, and of Assistant, Fixing Their Salary and Making Ap-

propriation Therefor, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Senate Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 9 of the Session Laws of North Dakota of 1933, Relating to Wolf Bounty; and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Whelan moved that Senate Bills Nos. 100 and 101 be re-referred to the Committee on State Affairs.

Which motion prevailed.

Senator McDonald moved that Senate Bill No. 78 be laid over until Thursday.

Which motion prevailed.

Senator Brostuen moved that Senate Bill No. 17 be laid over two legislative days.

Which motion prevailed.

Senator Greene of Stutsman moved that Senate Bill No. 11 be amended as follows:

On page 2 of the printed bill, line 4, Section 2 following the word "elected" add the following: "Provided, however, that the terms and provisions of this Act shall not prohibit the appointment of any member of the legislature as a member of any interim board or commission provided for in any legislative enactment."

Senator Bonzer moved that further consideration of Senate Bill No. 11 be indefinitely postponed.

Which motion prevailed.

Senator Watt demanded a Roll Call.

Which request was granted.

SECOND READING OF SENATE BILLS

Senate Bill No. 11. A Bill for an Act to Prohibit the Governor, the Executive Head, the Manager or any Member or Members of any State Board, Bureau, Commission, Industry, Department or Institution, or any Person Employed Either Directly or Indirectly by the State, from Appointing a Member of the Legislative Assembly to any Civil Office or Other Employment of Whatsoever Nature During the Term for Which Such Legislative Member Shall Have Been Elected, and Prohibiting a Member of the Legislative Assembly from Accepting Such Appointment, Providing Penalty Therefor and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the motion of Senator Bonzer that Senate Bill No. 11 be indefinitely postponed, the roll was called and there were ayes, 24; nays, 23; absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Owings
Braaten	Kamrath	Peterson
Brostuen	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Erickson	Marshall	Thorson
Fowler	McDonald	Vinje
Greene, Cavalier	Mutchler	Whelan

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Nelson, Grand Fks.
Coffey	Johnson	Topp
Crandall	Jones	Trout
Eastgate	Lind	Trovatten
Ettestad	Lynn	Watt
Fine	McGillic	Wog
Fredrickson	Miklethun	Young
Greene, Stutsman	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.
Lowe	Matthaei

So the bill was indefinitely postponed.

Senator Bonzer moved that the vote by which Senate Bill No. 11 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Cain moved that Senate Bill No. 134 be referred to the Committee on Banks and Banking.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 18, 1935.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 57. A Bill for an Act to Amend and Re-enact Chapter 185 of the Session Laws of 1929 and Section

487 of the Compiled Laws of 1913, Relating to the Regulation of the Practice of Pharmacy, and Declaring an Emergency.

Which the Senate has requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 18, 1935.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 145. A Bill for an Act to Amend and Re-enact Section 3684a10 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to the City Budget Law.

Also,

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 6548a11 and 6548a12 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Exchange of Reciprocal or Inter-Insurance Contracts; Providing for Appointment of Resident Agents; License Fees and Tax; Publication of Abstract of Annual Statement; Providing for Applicability of General Insurance Laws. Repeal.

Also,

House Bill No. 165. A Bill for an Act to Amend and Re-enact Sections 189c1, 189c2, 189c3, 189c5, 189c6, 189c7, 189c8, 189c9, 189c13, 189c14 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapters 173 and 174 of the 1929 Session Laws and Chapters 162, 163, and 164 of the 1931 Session Laws, and Chapter 135 of the 1933 Session Laws, and Sections 189c4 and 189c11 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Fire and Tornado Insurance on Public Buildings and Fixing Rates of Premiums to Be Charged, and Providing for Deposit on Investments of State Fire and Tornado Fund; Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

House Bill No. 169. A Bill for an Act to Amend and Re-enact Chapter 120, Session Laws of the State of North Dakota for 1933, Relating to the Disposition of Money Collected by the Game and Fish Commission; Providing for the Conservation of Water, and the Construction of Dams Within the State.

Also,

House Bill No. 42. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Also,

House Bill No. 60. 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,

House Bill No. 206. A Bill for an Act Fixing the Maximum Annual Salary Which May Be Paid the Assistant Dairy Commissioners, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 130. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of Mileage, Per Diem and Other Incidental Expenses in Connection With the Special Session of the Legislature Convened on July 19, 1934.

Also,

House Bill No. 170. A Bill for an Act to Amend and Re-enact Section 6625 of the Compiled Laws of 1913, With Regard to a Standard Fire Insurance Policy.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 18, 1935.

Mr. President: I have the honor to return herewith the following:

SENATE CONCURRENT RESOLUTION Q

Which the House has adopted.

Also,

Senate Bill No. 2. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerk-hire, Travel and General Expenses of the Office of the Governor, and Declaring an Emergency.

Also,

Senate Bill No. 65. A Bill for an Act Making an Appropriation to Provide for the Payment to the City of Bismarck,

North Dakota, Its Actual Expenses Incurred for the Use of the Municipal Auditorium and World War Memorial Building by the 1933 Legislative Assembly for Labor, Steamheat, Light and Power, Water, Janitors and Washroom Supplies, and Repairs and Miscellaneous Items.

Also,

Senate Bill No. 71. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit for Maintenance of the Capitol from February 1, 1935, to June 30, 1935, in the Office of the Board of Administration, and Declaring an Emergency.

Also,

Senate Bill No. 103. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Maintenance of the Office of State Treasurer for the Remainder of the Fiscal Year Ending June 30, 1935, and Declaring an Emergency.

Also,

Senate Bill No. 109. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-third Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

Also,

Senate Bill No. 80. A Bill for an Act to Amend and Re-enact Section 2178 of the Compiled Laws of 1913 Relating to Fees of Sheriff or His Deputy for Making Distress and Sale of Goods and Chattels for the Payment of Taxes, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 102. A Bill for an Act to Amend and Re-enact Section 1866A4 and Repeal Section 1866A6, Supplement to the Compiled Laws of 1913, Relating to the Northwest Agricultural Livestock and Fair Association, and Declaring an Emergency.

Which the House has passed unchanged.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 18, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 4. A Bill for an Act Making an Appro-

priation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

Also,

Senate Bill No. 7. 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.

Also,

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Also,

Senate Bill No. 9. 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 Section 11302 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 10. A Bill for an Act Making an Appropriation to Pay Expenses of Erecting Headstones Over the Graves of Soldiers, Sailors, and Marines of the United States War of the Rebellion.

Also,

Senate Bill No. 72. A Bill for an Act to Amend and Re-enact Section 922, Compiled Laws of 1913, Relating to Posting of Notices of Primary Election.

Also,

Senate Bill No. 82. A Bill for an Act to Amend and Re-enact Section 2203, Supplement to the Compiled Laws of 1913, Providing for the Assignment of Tax Sale Certificates Held by the County, Amount to Be Paid for an Assignment Thereof, and Prescribing the Form of Such Assignment.

Also,

SENATE CONCURRENT RESOLUTION K

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 18, 1935.

Mr. President: I have the honor to inform you that the

House has refused to concur in the Senate amendment to House Bill No. 80, and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives Page, Wolf and Twichell.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Fine moved that Senate Bill No. 114 be amended as follows:

"In line 14, page 4, of the printed bill, strike out the word "six" and figure "6" in parenthesis and the word and figure five (5) be inserted in lieu thereof."

Which motion was lost.

SECOND READING OF SENATE BILLS

Senate Bill No. 114. A Bill for an Act Relating to Funding and Refunding Existing Indebtedness of Municipalities and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Johnson	Owings
Braaten	Jones	Peterson
Brostuen	Kamrath	Strehlow
Cain	Kolpin	Stucke
Coffey	Kroeber	Thatcher
Crandall	Lind	Thorson
Drew	Lynn	Topp
Dubay	Marshall	Trout
Eastgate	Matthaei	Trovatten
Ettestad	McDonald	Vinje
Fowler	McGillic	Watt
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Mutchler	Wog
Greene, Stutsman	Nelson, Barnes	Young
Gronvold	Nelson, Grand Fks.	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fine	Handley	Lemke

Absent and not voting:

Messrs.	Messrs.
Erickson	Lowe

So the bill passed and the title was agreed to, and the emergency clause declared carried.

The President announced the appointment of Senators Bonzer, Fowler and Lind as the Senate Conference Committee on House Bill No. 80.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 18, 1935.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 80, Senators Bonzer, Fowler and Lind.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Watt moved that Senate Bill No. 197 be amended as follows:

In lines 21 and 23 of page 2 of the printed bill strike out the words and figures "Two dollars (\$2.00)" and insert in lieu thereof "One dollar and fifty cents (\$1.50)."

Senator Watt moved as a substitute motion that Senate Bill No. 197 be re-referred to the Committee on Game and Fish.

Which motion was lost.

The question was on the motion of Senator Watt to amend Senate Bill No. 197.

Senator Eastgate moved that further consideration of Senate Bill No. 197 be indefinitely postponed.

Which motion prevailed, and Senate Bill No. 197 was indefinitely postponed.

FIRST READING OF HOUSE BILLS

House Bill No. 167. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 111 of the 1933 Session Laws Known as the "Flour Label Act" and Declaring it an Emergency.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 122. A Bill for an Act to Provide for Pensions for the Blind, Creating a Pension Fund, Providing for the Levy of Annual Tax, Prescribing Persons to be Pensioned, and Penalties for the Violation Thereof.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 29 of Chapter 160 of the 1933 Session Laws, Relating to Registration of Motor Vehicles.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1828 of the Compiled Laws of 1913 and Chapter 78 of the Laws of the State of North Dakota for the Year 1915, and Section 1828 of the 1925 Compiled Laws of North Dakota, and Chapter 241 of the Laws of the State of North Dakota for the Year 1933, Relating to the Use of Lignite Coal in State and County Institutions and Schools, and to Provide for the Use of Native Lignite Coal, Native Natural Gas, and Native Oil as Fuel in Such Institutions and Schools, and Providing a Penalty for the Violation of This Act.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 139. A Bill for an Act to Amend and Re-enact Sections 2003a1 and 2003a2 of the 1925 Supplement to the 1913 Compiled Laws Relating to the Cutting of Noxious Weeds on Highways.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 177. A Bill for an Act to Amend and Re-enact Chapter 236 of the 1933 Session Laws Relating to Common School District Transportation; Leaving Same to the Discretion of the School Board; Limiting the Amount That May Be Paid for Same and Repealing Chapter 244 of the Session Laws of the State of North Dakota for the Year 1931; Prohibiting Discrimination as Between Families.

Was read the first time and referred to the Committee on Education.

House Bill No. 197. A Bill for an Act to Repeal Section 2, of Chapter 106 Session Laws of North Dakota 1927, and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 158. A Bill for an Act to Amend Section 2817 of the Compiled Laws of North Dakota for the Year 1913 Relating to Noxious Weeds, the Definition of Noxious Weeds and the Manner of Destroying the Same.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 143. A Bill for an Act to Amend and Re-enact Section 3803 Compiled Laws of North Dakota for 1913 Relating to Vacancies in the Offices in Cities Under the Commission Form of Government.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

House Bill No. 148. A Bill for an Act to Amend and Re-enact Section 1009 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Abstract of Vote; Canvass of Vote; Certificate of Election; Tie How Decided; Publication of Abstract; and Providing for Compensation.

Was read the first time and referred to the Committee on Elections.

House Bill No. 154. A Bill for an Act Requiring Deduction of Delinquent Personal Property Taxes From Salaries or Other Compensation of Elective and Appointive Officers, Agents and Employees of the State of North Dakota, All Bureaus, Boards, Commissions and Departments, and All Persons receiving Public Funds.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 161. A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled Laws, as Amended by Chapter 247 of the Session Laws of 1933, and Declaring an Emergency.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 136. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend from the Present Sewerage System of the State Training School to Connect with the Syndicate Sewer of the City of Mandan; Making an Appropriation Therefor; and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 43. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Was read the first time and referred to the Committee on Appropriations.

HOUSE CONCURRENT RESOLUTION A-11

Was read the first time and referred to the Committee on Public Health.

HOUSE CONCURRENT RESOLUTION A-15

Was read the first time and referred to the Committee on Irrigation and Drainage.

House Bill No. 145. A Bill for an Act to Amend and Re-enact Section 3684a10 of the Supplement to the Compiled

Laws of North Dakota for 1913 Relating to the City Budget Law.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 6548a11 and 6548a12 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Exchange of Reciprocal or Inter-Insurance Contracts; Providing for Appointment of Resident Agents; License Fees and Tax; Publication of Abstract of Annual Statement; Providing for Applicability of General Insurance Laws. Repeal.

Was read the first time and referred to the Committee on Insurance.

House Bill No. 165. A Bill for an Act to Amend and Re-enact Sections 189c1, 189c2, 189c3, 189c5, 189c6, 189c7, 189c8, 189c9, 189c13, 189c14 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapters 173 and 174 of the 1929 Session Laws and Chapters 162, 163, and 164 of the 1931 Session Laws, and Chapter 135 of the 1933 Session Laws, and Sections 189c4 and 189c11 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Fire and Tornado Insurance on Public Buildings and Fixing Rates of Premiums to Be Charged, and Providing for Deposit of Investments of State Fire and Tornado Fund; Repealing All Acts and Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Insurance.

House Bill No. 169. A Bill for an Act to Amend and Re-enact Chapter 120, Session Laws of the State of North Dakota for 1933, Relating to the Disposition of Money Collected by the Game and Fish Commission; Providing for the Conservation of Water, and the Construction of Dams Within the State.

Was read the first time and referred to the Committee on Irrigation and Drainage.

House Bill No. 42. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 60. 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 time and referred to the Committee on Appropriations.

House Bill No. 170. A Bill for an Act to Amend and Re-enact Section 6625 of the Compiled Laws of 1913, With Regard to a Standard Fire Insurance Policy.

Was read the first time and referred to the Committee on Insurance.

House Bill No. 130. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of Mileage, Per Diem and Other Incidental Expenses in Connection With the Special Session of the Legislature Convened on July 19, 1934.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 206. A Bill for an Act Fixing the Maximum Annual Salary Which May Be Paid the Assistant Dairy Commissioners, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Senator McDonald moved that House Bill No. 8 be amended as follows:

"On page 2, line 9, Section 8, strike out the word "without" and insert the words "upon passing a satisfactory."

Which motion prevailed.

Senator Matthaei moved that further consideration of House Bill No. 8 be indefinitely postponed.

Which motion was lost.

Senator McDonald moved that the rules be suspended and that House Bill No. 8, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 8. A Bill For an Act to Amend and Re-enact Sections 2 and 8 of Chapter 95, Session Laws of 1929: "An Act to Regulate the Practice of Chiropraxy, to Create a State Board of Chiropraxy, to Provide for the Examination and Licensing of Chiropraxists and Providing Penalties for the Violation Thereof."

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 31; nays, 16; absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Jones	Miklethun
Brostuen	Kamrath	Nelson, Barnes
Crandall	Kolpin	Peterson
Dubay	Kroeber	Thatcher
Ettestad	Lemke	Thorson
Fine	Lind	Topp
Fredrickson	Lynn	Vinje
Greene, Cavalier	Marshall	Whelan
Greene, Stutsman	McDonald	Wog
Handley	McGillic	Young
Johnson		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Fowler	Owings
Cain	Gronvold	Strehlow
Coffey	Matthaei	Stucke
Drew	Mutchler	Trovatten
Eastgate	Nelson, Grand Fks.	Watt
Erickson		

Absent and not voting:

Messrs.	Messrs.
Lowe	Trout

So the bill passed and the title was agreed to.

HOUSE CONCURRENT RESOLUTION "A-6"

Was read the second time.

ROLL CALL

The question being on the adoption of the Resolution, 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.
Bonzer	Jones	Nelson, Barnes
Braaten	Kamrath	Owings
Brostuen	Kolpin	Peterson
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Erickson	Lind	Thorson
Ettestad	Marshall	Trout
Fine	McDonald	Vinje
Greene, Cavalier	Miklethun	Wog
Handley	Mutchler	Young
Johnson		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Strehlow
Coffey	Lynn	Topp

Messrs.	Messrs.	Messrs.
Crandall	Matthaei	Trovatten
Eastgate	McGillic	Watt
Fowler	Nelson, Grand Fks.	Whelan
Fredrickson		

Absent and not voting:

Messrs.	Messrs.
Greene, Stutsman	Lowe

So the Resolution was adopted.

Senator Johnson moved that House Bill No. 131 be amended as follows:

Strike out the period after the word "ice cream" at the end of the title, insert a comma and the following language: "Providing penalty for violation hereof and declaring an emergency."

Which motion prevailed.

Senator Johnson moved that the rules be suspended and that House Bill No. 131, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 131. A Bill for an Act to Amend and Re-enact Section 1, Chapter 159, Session Laws for 1931, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, Defining Imitation Ice Cream.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young

Absent and not voting:

Messrs.

Lowe

So the bill passed and the title was agreed to, and the emergency clause declared carried.

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 975 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Publication of Nominations for Office and Fixing Duty of County Auditor With Reference Thereto and Providing for the Number of Publications Thereof.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young

Absent and not voting:

Messrs.

Lowe

So the bill passed and the title was agreed to.

House Bill No. 96. A Bill for an Act to Make It Lawful to Make Devises, Bequests, Legacies and Gifts to Any State Educational, Charitable, or Penal Institution; Providing that Title Thereto Shall Be Held by the State in Trust, and Regulating the Use of Such Property and Its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Grand Fks.
Braaten	Handley	Owings
Brostuen	Johnson	Peterson
Cain	Jones	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lynn	Trout
Erickson	Marshall	Trovatten
Ettestad	Matthaei	Vinje
Fine	McDonald	Watt
Fowler	McGillic	Whelan
Fredrickson	Miklethun	Wog
Greene, Cavalier	Mutchler	Young
Greene, Stutsman	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.
Kamrath	Lowe

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Johnson moved that House Bill No. 64 be amended as follows:

In line 15, page 2, Section 1, change the words "Pheasants and Hungarian" to read "Pheasants and/or Hungarian."

Which motion prevailed.

Senator Fine moved that House Bill No. 64 be amended as follows:

In line 21, page 2, strike out the word "fifteen" and insert in lieu thereof the word "ten."

Which motion prevailed.

Senator Brostuen moved that House Bill No. 64 be amended as follows:

Strike out the period in the title and add the following language: "and prescribing a penalty for the violation of the provisions hereof."

Which motion prevailed.

Senator Johnson moved that House Bill No. 64 be amended as follows:

In line 16, page 2, strike out everything after the period in lines 16, 17, 18 and in line 19 to and including the period.

Senator Bonzer moved that House Bill No. 64 be referred to the Committee on Game and Fish.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House Chamber,
Bismarck, North Dakota,
February 18, 1935.

Mr. President: I have the honor to return:

Senate Bill No. 76. A Bill for an Act to Prevent the Importation and Sale of Infected Fruit; Providing for the Seizure of Infected Fruit, and Defining Penalties.

Also,

Senate Bill No. 8. 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 of 1913.

Which the House has amended.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Fine moved that the Senate do concur in the House amendment to Senate Bill No. 76.

Which motion prevailed.

Senator Fine moved that the rules be suspended and that Senate Bill No. 76 as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 76. A Bill for an Act to Prevent the Importation and Sale of Infected Fruit; Providing for the Seizure of Infected Fruit, and Defining Penalties.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Johnson	Owings

Messrs.	Messrs.	Messrs.
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lynn	Trout
Erickson	Marshall	Trovatten
Ettestad	Matthaei	Vinje
Fine	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Absent and not voting:

Messrs.
Fowler
Lowe

So the bill passed and the title was agreed to.

Senator Bonzer moved that the Senate do concur in the House amendment to Senate Bill No. 8.

Which motion prevailed.

Senator Matthaei moved that the rules be suspended and that Senate Bill No. 8, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 8. 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 of 1913.

Was read the second time.

ROLL CALL

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.
Bonzer	Greene, Stutsman	Mutchler
Braaten	Gronvold	Nelson, Barnes
Brostuen	Handley	Nelson, Grand Fks.
Cain	Johnson	Owings
Coffey	Jones	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Thatcher
Dubay	Lemke	Topp

Eastgate	Lind	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Kamrath	Stucke	Thorson
Lowe		

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 18, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 8, and Senate Bill No. 76.

Very respectfully.

F. E. TUNELL,
Secretary.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Noel Thoralsen, Supt. Gillaland, Devils Lake; Pres. John C. West and J. W. Wilkerson, University; A. S. Isackson, Rugby; W. J. Johnson and M. A. Madson, Fordville; L. O. Johnson, Bucyrus; E. H. Brant, Linton; Dr. C. E. Allen, Chas. Stevens, Fred Fredrickson, I. J. Christenson and Herman Stern of Valley City; Nels Magnuson, Souris; Dr. G. A. Durnin, Dr. J. C. Jirikowic, Sig. Sigurdson, Albert Williams, W. E. Jgerdigen, W. E. Dyer, Arlan Stair, A. D. Ertesvaag and A. Benson of Bottineau; Howard Bowman, Lyle Johnson, Cecil Shuhl and A. B. Dill, Minot.

Senator Matthaei moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

F. E. TUNELL,
Secretary.

FORTY-THIRD DAY

Senate Chamber,
Bismarck, North Dakota,
February 19, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Father Schmidt.

Roll call: All Senators were present except Senators Erickson, Greene of Stutsman and Lowe.

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 Fortieth day after recess and the Forty-second day and found the same to be correct.

And recommend that the same be approved.

R. A. OWINGS,
Chairman.

Senator Owings moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Stucke moved to amend the report of the Committee on Revision and Correction of the Journal by correcting the typographical error in the spelling of the word "printed" on page 27.

Which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 19, 1935.

Mr. Speaker: I have the honor to return herewith:

HOUSE CONCURRENT RESOLUTION "A-6"

Which the Senate has adopted unchanged.

House Bill No. 96. A Bill for an Act to Make It Lawful to Make Devises, Bequests, Legacies and Gifts to Any State Educational, Charitable, or Penal Institution; Providing that Title Thereto Shall Be Held by the State in Trust, and Regulating the Use of Such Property and Its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made, and Declaring an Emergency.

Also,

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 975 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Publication of Nominations for Office and Fixing Duty of County Auditor With Reference Thereto and Providing for the Number of Publications Thereof.

Which the Senate has passed unchanged.

Also transmit:

Senate Bill No. 114. A Bill for an Act Relating to Funding and Refunding Existing Indebtedness of Municipalities and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 19, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 8. A Bill For an Act to Amend and Re-enact Sections 2 and 8 of Chapter 95, Session Laws of 1929: "An Act to Regulate the Practice of Chiropody, to Create a State Board of Chiropody, to Provide for the Examination and Licensing of Chiropodists and Providing Penalties for the Violation Thereof."

Which the Senate has amended as follows:

On page 2, line 9, section 8, strike out the word "without" and insert the words "upon passing a satisfactory."

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 19, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 131. A Bill for an Act to Amend and Re-

enact Section 1, Chapter 159, Session Laws for 1931, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, Defining Imitation Ice Cream.

Which the Senate has amended as follows:

Strike out the period after the word "ice cream" at the end of the title, insert a comma and the following language: "Providing Penalty for Violation Hereof and Declaring an Emergency."

Very respectfully,

F. E. TUNELL,
Secretary.

The following resolution was filed with the Secretary of State:

SENATE CONCURRENT RESOLUTION "K"
PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A petition presented at the desk, signed, O. C. Ellingson and twenty others condemning any legislation legalizing the sale of hard liquor.

A petition presented by Senator Erickson, signed, E. R. Wolt and fourteen others regarding hard liquor and beer parlor dances.

A petition presented by Senator Miklethun, signed, L. W. Stephan and forty-nine others, condemning the sale of hard liquor.

A petition presented by Senator Marshall, signed, G. Adolph Johns and twenty-nine other members of the First Lutheran Church, condemning hard liquor legislation.

A petition presented at the desk, signed, Herman G. Johnson and forty-two others, against the legalization of hard liquor.

A petition presented by Senator Marshall, signed, Mrs. Cora Amerland of the First Methodist Church of Fargo, against hard liquor legislation.

A petition presented by Senator Marshall, signed, C. C. Wells, regarding hard liquor legislation.

A petition presented by Senator Johnson, signed, H. W. Rife and twenty-two others, asking the defeat of any law for the sale of hard liquor.

Which were referred to the Committee on Temperance.

A resolution presented by Senator Stucke, signed, Mrs. Hazel M. Hill and fifteen other members of the Roseglen Parent-Teachers Association, relative to school legislation.

A resolution presented by Senator Kolpin, signed, Bernice Nelson and twenty-two other members of the Greenview Parent-Teachers Association, relative to education.

A resolution presented by Senator Topp, signed, S. V. McCarthy and seven others, regarding school legislation.

Which were referred to the Committee on Education.

A petition presented at the desk, signed, Ben Bowen and sixty-five others, in support of Senate Bill No. 142.

Petitions in the form of two telegrams and one letter asking the defeat of Senate Bill No. 192.

Referred to the Committee on State Affairs.

A petition presented by Senator Marshall, signed, Carl Henderson and sixty-four others, asking a reduction of local school tax, to be replaced by state aid.

Which was referred to the Committee on Taxes and Tax Laws.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 19, 1935

Mr. President: I have the honor to return herewith the following:

SENATE CONCURRENT RESOLUTION "T"

Which the House has adopted.

Also,

Senate Bill No. 3. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Salary and, also, the Expenses of District Judges While Holding Court Outside the County in Which the Judges Reside and While Serving on the Supreme Bench, and Declaring an Emergency.

Also,

Senate Bill No. 20. 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. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment of the School for the Deaf at Devils Lake, North Dakota.

Also,

Senate Bill No. 89. A Bill for an Act to Amend and Re-

enact Section 4 of Chapter 162 of the 1933 Session Laws, Providing for Taxation of Motor Vehicles Using the Highways of the State of North Dakota for Commercial Purposes, and Engaged in Transportation for Hire in Interstate Commerce.

Also,

Senate Bill No. 95. A Bill for an Act to Amend and Re-enact Section 7643, Supplement to the Compiled Laws of 1913, Relating to Directed Verdicts, and Declaring an Emergency.

Also,

Senate Bill No. 154. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 19 of Chapter 179 of the Session Laws of 1927, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 162 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Which the House has passed unchanged.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 19, 1935

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 63. A Bill for an Act Providing for the Appointment and Removal at Pleasure of a Procurement Officer for State Park Emergency Conservation Work as Required Under the Rules and Regulations of the Act of Congress Known as the Emergency Conservation Work Act, and of Assistant, Fixing Their Salary and Making Appropriation Therefor, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 9 of the Session Laws of North Dakota of 1933, Relating to Wolf Bounty; and Declaring an Emergency.

Which the Speaker has signed.

Also, transmit:

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 140, Session Laws 1933, Defining Usury.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

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. 2. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerk-hire, Travel and General Expenses of the Office of the Governor, and Declaring an Emergency.

Also,

Senate Bill No. 8. 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 of 1913.

Also,

Senate Bill No. 65. A Bill for an Act Making an Appropriation to Provide for the Payment to the City of Bismarck, North Dakota, Its Actual Expenses Incurred for the Use of the Municipal Auditorium and World War Memorial Building by the 1933 Legislative Assembly for Labor, Steamheat, Light and Power, Water, Janitors and Washroom Supplies, and Repairs and Miscellaneous Items.

Also,

Senate Bill No. 71. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit for Maintenance of the Capitol from February 1, 1935, to June 30, 1935, in the Office of the Board of Administration, and Declaring an Emergency.

Also,

Senate Bill No. 76. A Bill for an Act to Prevent the Importation and Sale of Infected Fruit; Providing for the Seizure of Infected Fruit, and Defining Penalties.

Also,

Senate Bill No. 80. A Bill for an Act to Amend and Re-enact Section 2178 of the Compiled Laws of 1913 Relating to Fees of Sheriff or His Deputy for Making Distress and Sale of Goods and Chattels for the Payment of Taxes, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 102. A Bill for an Act to Amend and Re-enact Section 1866A4 and Repeal Section 1866A6, Supplement to the Compiled Laws of 1913, Relating to the Northwest Agricultural Livestock and Fair Association, and Declaring an Emergency.

Also,

Senate Bill No. 103. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Maintenance of the Office of State Treasurer for the Remainder of the Fiscal Year Ending June 30, 1935, and Declaring an Emergency.

Also,

Senate Bill No. 109. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-third Session of the Legislative Assembly of the State of North Dakota.

Also,

SENATE CONCURRENT RESOLUTION "Q"

A Concurrent Resolution requesting the construction of a bridge across the Little Missouri River within the limits of the Fort Berthold Reservation, that it be considered a Federal Project and that the work of the construction of the bridge, as far as possible, be contributed by the Indians on relief.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF STANDING COMMITTEES

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 166. A Bill for an Act to Repeal Chapter 246 of the Session Laws of 1931 Authorizing the Establishment and Maintenance in Certain High Schools of This State of a Department of Junior College Work and Providing for the Supervision Thereof.

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.

The Committee on Highways made the following report:

Mr. President: Your Committee on Highways to whom was referred:

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 26, 27, 31, 32, 33 and 35 of Chapter 164, of the Session Laws for 1933, Relating to Regulations of Motor Vehicle Transportation.

Have had the same under consideration and recommend that the same be amended as follows:

In line one of the heading of the engrossed bill, strike out the figures thirty-five (35).

In line 3 of the title of the engrossed bill, after the word "transportation" add the following words: "Repealing all acts or parts of acts in conflict herewith and declaring an emergency."

In line 1, Section 1, page 1 of the engrossed bill, following the word "that" insert the following: "Sections 26, 27, 31, 32 and 33 of."

In line 80, page 3, Section 31 of the engrossed bill, after the word "certificate" add the following words: "and/or permit."

In line 107, page 4, Section 35 of the engrossed bill, after the word "Section," strike out the figures "35" and insert in lieu thereof the figure "2."

At the end of the bill add the following:

"Section 3. EMERGENCY.) This act is hereby declared to be an emergency measure and shall be in full force and effect from and after the date of its passage and approval."

And when so amended recommend the same do pass.

HARRY PETERSON,
Chairman.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways made the following report:

Mr. President: Your Committee on Highways to whom was referred:

Senate Bill No. 94. A Bill for an Act to Provide for Physical Examination of Persons Engaged in Driving Motor Propelled Vehicles Used for the Transportation of School Children, and to Provide Mechanical Inspection and Requirements of Such Vehicles, Also Providing for the Enforcement of the Provisions of This Act, and Punishment for Violation Thereof.

Have had the same under consideration and recommend that the same be amended as follows:

On page 1 of the printed bill, in lines 4 of Section 1 following the word "vehicles," strike out the words: "who is not of the age of twenty-one years or over and"

On page 2 of the printed bill, in line 6 of Section 3, after the word "children" add a comma.

On page 2 of the printed bill, in line 8 of Section 4, following the word "that," strike out the words "no cars or trains are approaching from either direction" and insert in lieu thereof the following words: "it is safe to proceed."

And when so amended recommend the same do pass.

HARRY PETERSON,
Chairman.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways made the following report:

Mr. President: Your Committee on Highways to whom was referred:

SENATE CONCURRENT RESOLUTION "O"

A Concurrent Resolution Relative to Routing of State and Federal Highways Through Small Towns.

Have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY PETERSON,
Chairman.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Stucke moved that House Concurrent Resolution "A-10" be re-referred to the Committee on Highways.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "Y"

To Amend and Re-enact Section 25 of Article II of the Constitution of the State of North Dakota as Last Amended and Re-enacted by Article 26 of the Amendments Thereto, Relating to Initiative and Referendum of Measures, and Eliminating Requirement That Measures Initiated and Referred be Printed in a Publicity Pamphlet.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 145. A Bill for an Act to Amend and Re-enact Section 16 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Section 396a16 of the 1925 Supplement to the Compiled Laws of 1913, Known as the Workmen's Compensation Act, Relating to Examination of Injured Employees, and the Right of an Employee to Have His Own Physician or Doctor and Providing for an Impartial Physician or Doctor in the Case of Disagreement Between the Medical Advisor for the Bureau and the Employees Physician; and Prohibiting the Medical Examiner of the Workmen's Compensation Bureau From Treating Patients Professionally for Pay or Reward Who Are Under the Care of Said Bureau and Prohibiting Him From Recommending to Said Patient Any Doctor, Firm, Clinic, Hospital or System of Healing and Providing a Penalty Therefore, and Making the Same an Emergency Measure.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 278. A Bill for an Act Relating to Election Privileges Mentioned at Article 9 of Chapter 11 of the Political Code of North Dakota, Abolishing the Statutory Requirement That a Publicity Pamphlet Be Printed and Mailed in Connection With Certain Elections; Amending and Re-enacting Sections 923 and 928 of the Compiled Laws of North Dakota 1913 and Repealing Sections 924, 925, 926 and 927 of the Compiled Laws North Dakota, 1913; Repealing Sections 927a1 and 927a2 of the 1925 Supplement, and All Acts or Parts of Acts in Conflict Herewith; Providing When and How This Act May or May Not Become Effective.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 170. A Bill for an Act to Provide for the Establishment of Eligible Lists From Which Employees Shall Be Appointed for the State Highway Department, State Regulatory Department and State Game and Fish Department, Providing Certain Rules Governing the Officials and Employees in the Administration of the Act, Providing for Filing Charges and Hearing and Determination Thereon, Appointment of Committees to Hear Charges, Prohibiting Contributions for Political Purposes, Providing Penalties for Violations of the Act, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted.

Senator Miklethun demanded a Roll Call.

A Roll Call was granted.

ROLL CALL

The question being on the adoption of the committee report on Senate Bill No. 170, 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.
Bonzer	Ettestad	McDonald
Braaten	Fine	McGillic
Brostuen	Fowler	Nelson, Grand F'ks.
Cain	Greene, Cavalier	Owings
Coffey	Gronvold	Strehlow
Crandall	Handley	Stucke
Drew	Kamrath	Thatcher
Dubay	Kolpin	Vinje
Eastgate	Kroeber	Watt
Erickson	Lynn	Whelan

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Greene, Stutsman	Marshall	Thorson
Fredrickson	Matthaei	Trovatten
Johnson	Miklethun	Topp
Jones	Mutchler	Wog
Lemke	Nelson, Barnes	Young
Lind	Peterson	

Absent and not voting:

Messrs.	Messrs.
Lowe	Trout

So the motion prevailed, the report was adopted, and Senate Bill No. 170 was indefinitely postponed.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 147. A Bill for an Act Creating a State Board to Be Known as "State Council of Public Safety," Purpose, Appointment of Members, Term of Office, Duties of Council and How Financed.

Have had the same under consideration and recommend that the same be amended as follows:

On page 4 of the printed bill, strike out all of Sections 12 and 13.

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "F"

Relative to decision upholding the constitutionality of the Frazier-Lemke farm moratorium act.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of second paragraph.

And when so amended recommend the same be adopted.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 198. A Bill for an Act Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In Line 3 of the title of the printed bill, following the word "therewith" strike out the comma and insert a period, and strike out the words "and declaring an emergency."

In Line 5 of Section 1, page 1 of the printed bill, following the word "week" add the words: "except in case of an emergency."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Fowler moved that the Committee report on Senate Bill No. 198 be amended as follows:

"Strike out all of Section 4."

Which motion prevailed.

Senator Fowler moved that the report as amended be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 309, Session Laws of 1931, Relating to Veterans' Guardianship.

Have had the same under consideration and recommend that the same be amended as follows:

In Line 2 of the title of the bill, following the word "guardianship" strike out the period, and insert in lieu thereof a comma, and add the following words: "and declaring an emergency."

After Line 19, page 2 of the printed bill, add the following:

"Section 2. EMERGENCY. This act is hereby declared to be an emergency measure, and shall be in full force and effect from and after the date of its passage and approval."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "Z"

Have had the same under consideration and recommend that the same be amended as follows:

At the end of the bill, add the following paragraph:

"Be it further resolved, that duly authenticated copies of this resolution be forwarded to the Honorable Franklin D. Roosevelt, President of the United States; to the Public Works Administration at Washington, D. C., and to the United States Senators and Representatives in Congress from North Dakota."

And when so amended recommend the same be adopted.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

SENATE RESOLUTION "B"

Requiring all members of the Senate of the State of North Dakota who are at present on retainers by public service corporations doing business in the State of North Dakota, to file with the Secretary of the Senate a list of the corporations they are thus serving.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 277. A Bill for an Act Authorizing the Board of Administration to Construct, Either Independently of or Jointly With the City of Grafton, a Sewage Disposal Plant for the Grafton State School and Making an Appropriation Therefor.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "A-C"

Memorializing Congress to Establish Prices on Major Farm Products That Will Insure Cost of Production Plus a Reasonable Profit.

Have had the same under consideration and recommend that the same be adopted.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 220. A Bill for an Act to Suspend the Operating of Chapter 24 of the Political Code of the State of North Dakota for the Year 1913, Being Sections 1889 to 1902 Both Inclusive of Said Compiled Laws, Relating to the Enumeration of Inhabitants in the State of North Dakota; Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 178. A Bill for an Act Entitled "An Act to Provide for a Means of Removal of Elective City Officers by the Will of the People."

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 265. A Bill for an Act Defining the Qualifications of the County Surveyor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Subdivision (c) of Section 25 of Chapter 186, Session Laws of 1931, as Amended by Chapter 160 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 172. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 169. A Bill for an Act Authorizing the Board of Administration to Establish and Operate a Public Restaurant and Lunch Room in the State Capitol, Defining Its Powers and Duties in Relation Thereto, and Prohibiting Any Person, Firm or Corporation From Operating Any Restaurant or Lunch Room in the State Capitol After July 1, 1935.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "U"

Have had the same under consideration and recommended that the same be adopted.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 255. A Bill for an Act to Amend and Re-enact Sections 3028, 3030 and 3034 of the Compiled Laws of the State of North Dakota for 1913, Relating to Licensing of Peddlers and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of the title of the printed bill, strike out the figures "3030."

Strike out all of Section 2 on pages 1 and 2 of the printed bill.

Strike out all of Section 3030 on page 2 of the printed bill, being lines 4 to 22, inclusive.

In line 1, at bottom of page 2 of printed bill, strike out the figure "3" and insert in lieu thereof the figure "2."

In line 1, page 3 of printed bill, strike out the figure "4" and insert in lieu thereof the figure "3."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was re-referred:

Senate Bill No. 75. A Bill for an Act to Provide for Liens in Favor of Hospitals and Other Charitable Institutions Furnishing Care, Treatment and Maintenance of Persons Injured in Accidents, not Subject to the Provisions of the Workmen's Compensation Act of North Dakota, for the Reasonable Value of the Service so Rendered, Upon the Rights of Action, Claims or Demands of Such Injured Persons, or Judgments Recovered Thereon, Against Other Persons, or Corporations, liable in Tort for Damages, on Account of Negligence Causing the Injuries, and Upon the Proceeds of the Settlements of Any Such Claims or Demands; and Upon and Against the Insurer of Such Tort Feasor or Tort Feasors; and Upon Insurance Held by the Injured Person, and Providing for Constructive Notice Upon Such Insurers, Tort Feasors and their Insurers, if any, by a Filing of a Lien Statement with the Clerk of the District Court of the County in Which Such Services Are Rendered.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 8, line 2 of the printed bill, strike out the words "two years" and insert in lieu thereof the words "one year."

In Section 8, line 6 of the printed bill, strike out the words "two years" and insert in lieu thereof the words "one year."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain 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. 47. A Bill for an Act to Provide for a State-wide Moratorium for a Period of Two Years, Prohibiting all Foreclosures, Executions, and Tax Sales, all Evictions and Dispossessions, Making Exception in Certain Cases, Providing a Limitation of Time in Which Evictions and Dispossessions May Be Executed, Providing for a Constitutional Saving Clause, and Declaring Said Act to Be an Emergency Measure.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. P. CAIN,
Chairman.

Senator Cain 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. 115. A Bill for an Act to Amend and Re-enact Section 5446 of the Compiled Laws of the State of North Dakota for 1913, Relating to Transferability and Survivability of Things in Action.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. P. CAIN,
Chairman.

Senator Cain 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. 116. A Bill for an Act to Amend and Re-enact Section 8325 of the Compiled Laws of the State of North Dakota for 1913, Relating to Actions Arising Out of Personal Injury or Death Resulting From Wrongful Acts.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was re-referred:

Senate Bill No. 23. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession during the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act.

Have had the same under consideration and recommend that the same be further amended as follows:

In the title of the printed bill after the name "Cain" strike out the word "and" and insert a comma. After the name "Young" insert a comma and the following names: "Peterson and Thatcher."

In Section 3, line 118, of the printed bill, after the word "sale" insert the words "on the request of any party who has been personally served with a summons or who has appeared."

At the end of Section 11 of the engrossed bill, following the word "Act" strike out the period, insert a comma and the following words "including the Land Bank Commissioner, a Federal Land Bank, a Federal Intermediate Credit Bank, a Production Credit Association, a Bank for Cooperatives, and a Regional Agricultural Credit Corporation."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

A majority of the Committee on Judiciary made the following report:

Mr. President: A majority of your Committee on Judiciary to whom was referred:

Senate Bill No. 157. A Bill for an Act to Amend and Re-enact Section 368a4 of Chapter 191 of Session Laws of North Dakota for 1933, Relating to the Industrial Commission, Official Seal, Authenticating Documentary Acts, When Acts Become Effective, and Repealing Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. T. GRONVOLD,
A. W. FOWLER,
T. E. WHELAN,
GEORGE V. COFFEY,
HARRY C. LYNN,
J. P. CAIN, Chairman.

A minority of the Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 157. A Bill for an Act to Amend and Re-enact Section 368a4 of Chapter 191 of Session Laws of North Dakota for 1933, Relating to the Industrial Commission, Official Seal, Authenticating Documentary Acts, When Acts Become Effective, and Repealing Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same do pass.

OLE ETTESTAD,
WM. A. THATCHER,
E. C. STUCKE,
C. W. FINE,
MILTON R. YOUNG,
S. S. McDONALD,
W. E. MATTHAEI,
MELVIN P. JOHNSON,
E. E. GREENE.

Senator Fine moved that the minority report be adopted.

Senator Cain moved as a substitute motion that the word "majority" be substituted for the word "minority."

Senator Fowler demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the adoption of the majority report to indefinitely postpone Senate Bill No. 157, the roll was called and there were ayes, 38; nays, 11; absent and not voting, 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Cain	Kolpin	Strehlow
Coffey	Kroeber	Stucke
Crandall	Lind	Thatcher
Drew	Lowe	Thorson
Dubay	Lynn	Topp
Eastgate	Marshall	Trout
Erickson	Matthaei	Trovatten
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Ettestad	Jones	Vinje
Fine	Lemke	Wog
Fredrickson	Miklethun	Young
Johnson	Peterson	

So the majority report was adopted and Senate Bill No. 157 was indefinitely postponed.

Senator Whelan moved that the vote by which Senate Bill No. 157 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Erickson moved that the Committee Report on Senate Bill No. 282 be laid over until the printed bill is accessible.

Which motion prevailed.

A majority of your Committee on Insurance made the following report:

Mr. President: A majority of your Committee on Insurance to whom was referred:

Senate Bill No. 224. A Bill for an Act to Waive Certain Defects in Crop Listing Affidavits and Allow Insured to Recover Indemnity for Hail Losses Notwithstanding Such Defects.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. FINE,
GUST WOG,
R. A. OWINGS,
WM. A. THATCHER,
A. F. BONZER, Jr.,
W. E. MATTHAEI,
Chairman.

A minority of your Committee on Insurance made the following report:

Mr. President: A minority of your committee on Insurance to whom was referred:

Senate Bill No. 224. A Bill for an Act to Waive Certain Defects in Crop Listing Affidavits and Allow Insured to Recover Indemnity for Hail Losses Notwithstanding Such Defects.

Have had the same under consideration and recommend that the same be amended as follows:

In line 15, Section 1, page 2 of the printed bill after the word "notwithstanding," strike out the period and insert a semi-colon and the following language: "provided, however,

that the provisions of this act shall not apply to any error or claim passed thereon which occurred prior to January 1, 1930."

In line 1, Section 2, page 2 of the printed bill after the word "aforesaid" insert the following language: "and in the absence of fraud."

And when so amended recommend the same do pass.

J. P. CAIN,
J. E. EASTGATE,
J. T. MCGILLIC,
GEORGE V. COFFEY.

Senator Coffey moved that the report of the minority be adopted.

Senator Matthaei moved as a substitute motion that the word "majority" be substituted for the word "minority."

Which motion prevailed and the report of the majority was adopted and Senate Bill No. 224 was indefinitely postponed.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 7731 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 128, Session Laws 1919, and Section 7731 of the 1925 Supplement to the Compiled Laws for Year of 1913, Relating to Exemptions of Personal Property from Attachment, Levy and Sale on Execution, and Defining "Head of Family" as Defined in Section 5626 of the Compiled Laws of 1913, and Exemptions of a Single Person, and Making Same an Emergency Measure.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the printed bill after the first figures "7731," strike out the following words and figures: "of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 128, Session Laws, 1919, and Section 7731 of the 1925," and after the word "Laws" directly following, strike out the words "for Year."

In the last lines of the title, after the words "Exemptions of a Single Person, and," strike out the words "Making Same" and insert in lieu thereof the word "declaring."

In Section 1, line 1 of the printed bill, after the figures "7731," strike out the following words and figures: "of the Compiled Laws of 1913, as amended by Chapter 128, Session Laws of 1919, and Section 7731 of the 1925" and in line 3, strike out the words "for year."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Greene of Stutsman moved that the Committee Report on Senate Bill No. 143 be amended as follows:

Place a period after the word "emergency" and strike out the following word "measure" in the title.

Which motion prevailed.

Senator Greene of Stutsman moved that the report as amended 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. 152. A Bill for an Act to Amend and Re-enact Section 3511 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Fees Charged by the Register of Deeds, and Furnishing Certified Abstracts of Title to Real Estate and Chattel Mortgage and Lien Abstracts; and Disposal of Satisfied and Cancelled Instruments.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. P. CAIN,
Chairman.

Senator Cain 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. 233. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith and Making the Same an Emergency Measure.

Have had the same under consideration and recommend that the same do pass.

J. P. CAIN,
Chairman.

Senator Brostuen moved that the Committee report be amended as follows:

"On page 2 of the printed bill in line 21 following the word 'Mortgage,' strike out the semi-colon and insert a period. Strike out the balance of the sentence up to and including the word 'Mortgagor' in line 23."

Which motion prevailed.

Senator Brostuen moved that the report as amended be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 241. A Bill for an Act to Provide for the Conditional Examination of Witnesses Held to Appear Before a Grand Jury or Court When Such Witnesses Are Unable to Give the Security Required by the Court.

Have had the same under consideration and recommend that the same do pass.

J. P. CAIN,
Chairman.

Senator Cain 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. 242. A Bill for an Act to Amend and Re-enact Section 11119, Compiled Laws of 1913, and to Permit the Deposit of Money or Bonds as Bail 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 figure "1" insert the word "AMENDMENT.)"

In Section 1, Line 6, after the words "equal in" strike out the word "market" and insert in lieu thereof the word "par."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain 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. 243. A Bill for an Act to Amend and Re-enact Section 10606, Compiled Laws of 1913, Relating to Preliminary Examinations of Persons Accused of Crime, and Permitting the Defendant to Make Unsworn Statements in Answer to the Charge Against Him.

Have had the same under consideration and recommend that the same do pass.

J. P. CAIN,
Chairman.

Senator Cain 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. 244. A Bill for an Act to Permit Fidelity and Surety Companies to Act as Sureties Upon Civil or Criminal Undertakings for Bail.

Have had the same under consideration and recommend that the same do pass.

J. P. CAIN,
Chairman.

Senator Cain 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. 245. A Bill for an Act to Fix the Venue of Crimes Committed in or Against Aircraft in Flight, and Upon Trains or Other Vehicles.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 2, line 3, of the printed bill, after the word "public" strike out the words "or private."

In Section 2, line 5, after the word "other" insert the word "public."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain 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. 246. A Bill for an Act to Provide for the Use of Alternate Jurors in Criminal Cases, and to Regulate the Practice of the Courts in Regard Thereto.

Have had the same under consideration and recommend that the same do pass.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 268. A Bill for an Act to Regulate and Control the Charges and Commissions Asked by Local Farm Machinery Dealers or Agents, for Parts and Extras Which Are Not Carried in Local Stock; Defining Violations; Providing for Enforcement and Prosecution, and Supersedence of This Act.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of Section 6.

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain 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. 270. A Bill for an Act to Amend and Re-enact Section 9007 of the Compiled Laws of North Dakota for the Year 1913, Defining the Jurisdiction and Authority of Justices of the Peace in Criminal Matters.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. President: Your Committee on Ways and Means to whom was referred:

House Bill No. 140. A Bill for an Act Providing for the Regulation of Aeronautics Within this State; Providing for Uniformity with Federal Laws Regulating Aeronautics; Creating a State Aeronautics Commission; Providing the Powers and Duties of Such Commission; Providing for the Promulgation and Issuance of Rules and Regulations by Such Commission.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GUST WOG,
Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was 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. 159. A Bill for an Act to Provide for Reciprocal Fire Underwriters' Licenses.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. P. CAIN,
J. E. EASTGATE,
J. T. MCGILLIC,
GEORGE V. COFFEY.

A majority of the Committee on Insurance made the following report:

Mr. President: A majority of your Committee on Insurance to whom was referred:

Senate Bill No. 159. A Bill for an Act to Provide for Reciprocal Fire Underwriters' Licenses.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the printed bill strike out the words "or bonds."

In line 2 of the printed bill, following the word "life" insert a comma and add the following words: "health or accident."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
GUST WOG,
WM. A. THATCHER,
R. A. OWINGS,
C. W. FINE,
W. E. MATTHAEI,
Chairman.

Senator Matthaei moved that the report of the majority be adopted.

Senator Cain moved as a substitute motion that the word "minority" be substituted for the word "majority."

Which motion was lost.

The question being on the adoption of the majority report, which motion prevailed and the report was adopted, and Senate Bill No. 159 was recommended for passage as amended.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 186. A Bill for an Act Transferring \$78,293.94 From Certain Fund in Office of State Treasurer, Derived From the United States, to the State Equalization Fund, Appropriating the Same for School Purposes, and Providing That Funds Derived in the Future From Same Source Shall Be Placed in the State Equalization Fund and Used for School Purposes, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In line 7 of Section 1, page 1 of the printed bill, after the figures "1933," add the following: "or acts amendatory thereof or supplemental thereto."

In line 11 of Section 1, after the figures "1933," strike out the period and insert in lieu thereof a comma and add the following words: "or acts amendatory thereof or supplemental thereto."

In line 4 of Section 2, page 2 of the printed bill, after the figures "1933," insert a comma and add the following: "or acts amendatory thereof or supplemental thereto."

And when so amended recommend the same do pass.

A. F. BONZER, JR.
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 161. A Bill for an Act Providing for the Regulation of Dealers in Livestock, and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Records Required of Dealer; Feeding, Watering and Weighing; Acts of Deceit, Fraud and Dishonesty; Penalty for Violation of Act; and, Repealing all of Chapter 7 of the Session Laws of the State of North Dakota for the Year 1933; and Repealing all Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Have had the same under consideration and recommend that the same be amended as follows:

In line 5 of the title of the printed bill, after the word "dishonesty" add the following: "and appropriating fees collected to the use of the Board of Railroad Commissioners for the administration and enforcement of the Act."

In line 4 of Section 1, page 1 of the printed bill, after the word "horses" insert the word "mules" and add a comma.

In line 5 of Section 1, page 1 of the printed bill, after the word "hogs," strike out the comma and insert the word "and." And in the same line, strike out the following words: "and poultry, and the term dealer shall include all stock buyers engaged in the buying and selling of livestock."

On page 2 of the printed bill, in line 12 of Section 1, following the word "market" add the following: "where such incomplete load is not less than fifty per cent of a full load."

On page 2 of printed bill, line 17 of Section 1, following the word "machinery," strike out the period and insert a comma in lieu thereof, and add the following words: "nor to any person, co-partnership, association or corporation licensed for the year 1935 under the provisions of Chapter 7 of the Session Laws for the year 1933 at the time of the taking effect of this act."

On page 3 of the printed bill, in line 28, after the word "bond" insert the following: "to be approved as to form, sufficiency and surety by the Commission." And in same line, strike out the words and figures: "five thousand dollars, (\$5,000.00)" and insert in lieu thereof the words and figures: "Twenty-five hundred dollars (\$2,500.00)," and immediately thereafter add the following words: "for principal's bond and that amount of said bond be increased five hundred dollars (\$500.00) for each agent appointed by the dealer and licensed by the Commission."

On page 3 of printed bill, line 32, following the word "agent," insert the following: "provided, however, that a separate bond for each agent appointed and licensed, may be given in the sum of one thousand dollars, in lieu of additional five hundred dollars (\$500.00) on principal bond."

On page 3 of printed bill, line 37, after the word "following" add these words: "provided that for each agent to whom a license is issued, the sum of five dollars shall be paid to the Commission."

On page 4 of the printed bill, line 23, after the word "either," strike out the following words: "denying the application for a license, or."

On page 6 of the printed bill, strike out all of Section 7 and insert in lieu thereof the following:

"Section 7. For the purpose of carrying out the provisions of this Act, there is hereby created in the State Treas-

ury, a state fund to be known as the 'Livestock Dealers Fund.' All fees collected by the Commission under the provisions of this Act necessary in administering and enforcing this Act, or so much thereof as may be necessary, are hereby appropriated to the use of said Commissioners and shall be paid into the State Treasury monthly, and shall be credited to the said Livestock Dealers Fund to the use of the Commission and shall be paid out upon proper voucher and audit by the State Auditing Board for the expenses of said Commission in administering and enforcing the provisions of this Act."

Following Section 7, insert Section 8, as follows:

"Section 8. PENALTY FOR VIOLATION OF ACT.) Any person who shall violate any of the provisions of this Act, shall be guilty of a misdemeanor and shall be punished by a fine not exceeding \$100.00 or by imprisonment in the county jail for a period not to exceed thirty days or by both such fine and imprisonment. Every person who, having been convicted of a violation of this Act, shall after such conviction, violate any of the provisions of this Act, shall be guilty of a misdemeanor, and shall be punished by a fine of not less than \$100.00 nor more than \$500.00, or by imprisonment in the county jail for not less than thirty days nor more than one year, or by both such fine and imprisonment."

And in third line 1, at bottom of page 6, strike out the figure "8" and insert in lieu thereof the figure "9."

In line 1, page 7, strike out the figure "9" and insert in lieu thereof the figures "10."

In second line 3, on page 7, strike out the following: "April, 1935" and insert in lieu thereof the words: "its passage and approval."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

A majority of the Committee on Judiciary made the following report:

Mr. President: A majority of your Committee on Judiciary to whom was referred:

Senate Bill No. 153. A Bill for an Act to Amend and Re-enact Sections 3099a1, 3099a5, and 3099a6 of the 1925 Supplement to the Compiled Laws of North Dakota of the Year 1913, and as Amended by Chapter 1, Session Laws of 1929; and, also Section 3099a9 of the 1925 Supplement to the Compiled Laws of North Dakota of the Year 1913, Relating to Qualifications of Abstractors of Title to Real and Personal Property, and Fees Allowed.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. E. MATTHAEI,
S. S. McDONALD,
WM. A. THATCHER,
E. E. GREENE,
HARRY C. LYNN,
MILTON R. YOUNG,
MELVIN P. JOHNSON,
O. E. ERICKSON,
T. E. WHELAN,
A. W. FOWLER,
J. P. CAIN, Chariman.

A Minority of the Committee on Judiciary made the following report:

Mr. President: A Minority of your Committee on Judiciary to whom was referred:

Senate Bill No. 153. A Bill for an Act to Amend and Re-enact Sections 3099a1, 3099a5, and 3099a6 of the 1925 Supplement to the Compiled Laws of North Dakota of the Year 1913, and as Amended by Chapter 1, Session Laws of 1929; and, also Section 3099a9 of the 1925 Supplement to the Compiled Laws of North Dakota of the Year 1913, Relating to Qualifications of Abstractors of Title to Real and Personal Property, and Fees Allowed.

Have had the same under consideration and recommend that the same do pass.

E. C. STUCKE,
C. W. FINE.

Senator Cain moved that the report of the Majority be adopted.

Senator Fine moved as a substitute motion that the word "Minority" be substituted for the word "Majority."

Which motion was lost.

Senator Stucke requested a division on the motion by Senator Fine, and the motion was declared lost.

Senator Fine moved that Senate Bill No. 153 be re-referred to the Committee on Judiciary.

Senator Lemke requested a division on the motion by Senator Fine, and the motion was declared lost.

Senator Stucke demanded a Roll Call on the motion by Senator Fine. A Roll Call was granted.

ROLL CALL

The question being on the motion of Senator Fine to refer Senate Bill No. 153 to the committee, 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.
Bonzer	Johnson	Nelson, Barnes
Braaten	Kamrath	Owings
Brostuen	Kolpin	Stucke
Dubay	Lemke	Thorson
Fine	Marshall	Trout
Greene, Cavalier	McDonald	Vinje
Greene, Stutsman	Miklethun	Wog
Handley		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Peterson
Coffey	Jones	Strehlow
Crandall	Lind	Thatcher
Drew	Lowe	Topp
Eastgate	Lynn	Trovatten
Erickson	Matthaei	Watt
Ettestad	McGillic	Whelan
Fowler	Mutchler	Young
Fredrickson	Nelson, Grand Fks.	

Absent and not voting:

Messrs.
Kroeber

So the motion was lost.

The question being on the adoption of the Majority report, the motion prevailed and the Majority report was adopted, and Senate Bill No. 153 was indefinitely postponed.

Senator Cain moved that the vote by which Senate Bill No. 153 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on Elections made the following report:

Mr. President: Your Committee on Elections to whom was referred:

Senate Bill No. 254. A Bill for an Act Re-enacting Sections 917, 918 and 919 of the Compiled Laws of North Dakota for 1913, and to Provide for Party Registration of Electors Desiring to Vote at Any Primary Election in This State, and Providing for Registration and Enrollment Books, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

O. E. ERICKSON,
Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections made the following report:

Mr. President: Your Committee on Elections to whom was referred:

Senate Bill No. 29. A Bill for an Act Providing for the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees; and to Repeal All Acts or Parts of Acts in Conflict Herewith, Including Sections 910-916, Inclusive, Compiled Laws 1913 and Chapter 137 of the Session Laws of the Year 1927 and Chapter 123 of the Session Laws of the Year 1929.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3, Section 2, strike out the figures "100" and insert in lieu thereof the following figures: "250."

And when so amended recommend the same do pass.

O. E. ERICKSON,
Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

A majority of the Committee on Judiciary made the following report:

Mr. President: A majority of your Committee on Judiciary to whom was referred:

Senate Bill No. 234. A Bill for an Act to Legalize and Validate Real Estate Mortgage Foreclosure Sales Made Prior to January 1, 1935, Whether or Not Power of Attorney or Attorney's Affidavit or Notice of Intention to Foreclose Has Been Filed, Recorded, Given or Served, as Provided by the Law in Force at the Time of Such Foreclosure and Sale Thereunder Were Made, and Limiting the Time Within Which Actions May Be Commenced or Defenses Interposed in Relation Thereto.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. E. MATTHAEI,
E. C. STUCKE,
C. W. FINE,
WM. A. THATCHER,
E. E. GREENE,
OLE ETTESTAD,
O. E. ERICKSON,
MELVIN JOHNSON.

A minority of the Committee on Judiciary made the following report:

Mr. President: A minority of your Committee on Judiciary to whom was referred:

Senate Bill No. 234. A Bill for an Act to Legalize and

Validate Real Estate Mortgage Foreclosure Sales Made Prior to January 1, 1935, Whether or Not Power of Attorney or Attorney's Affidavit or Notice of Intention to Foreclose Has Been Filed, Recorded, Given or Served, as Provided by the Law in Force at the Time of Such Foreclosure and Sale Thereunder Were Made, and Limiting the Time Within Which Actions May Be Commenced or Defenses Interposed in Relation Thereto.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the printed bill strike out the period after the word "thereto" and insert the following: "and repealing Chapter 158 of the Session Laws of North Dakota for 1933."

In Section 2, line 1, of the printed bill, strike out everything after the word "REPEAL.)" and insert the following language: "That Chapter 159 of the Session Laws of North Dakota for 1933 be and the same is hereby repealed."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

HARRY C. LYNN,
MILTON R. YOUNG,
T. E. WHELAN,
A. W. FOWLER,
J. P. CAIN, Chairman.

Senator Cain moved that the minority report be adopted.

Senator Fine moved as a substitute motion that the word "majority" be substituted for the word "minority."

Which motion prevailed and Senate Bill No. 234 was indefinitely postponed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 19, 1935

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 131.

Also, House Bill No. 8.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 19, 1935

Mr. President: I have the honor to return:

Senate Bill No. 112. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Stenographers, and Clerkhire, Express and Freight, Postage, Telegrams and Telephones, Office Supplies, Printing, Traveling Expenses,

and Miscellaneous Expenses of the State Geological Survey, and Declaring an Emergency.

Also,

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 3084a2, 3084a3, 3084a7 and 3084a9 of the 1925 Supplement to the Compiled Laws of the State of North Dakota for the Year 1913, Providing for the Appointment of the State Coal Mine Inspector by the Workmen's Compensation Bureau, Defining Eligibility to That Office, Providing for Assistance and Instruments to Be Furnished to the Inspector and for Payment Therefor and Providing for the Filling of Temporary Vacancies in the Office, and Declaring an Emergency.

Which the House has amended.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 185. A Bill for an Act Defining the Jurisdiction of Police Magistrates and City Justices of the Peace in Criminal Actions in Cities of Five Thousand Inhabitants or More in Counties Wherein the County Court Does Not Have Increased Jurisdiction; Qualifications of Said Police Magistrates and City Justices of the Peace; Procedure in Said Police Magistrates Courts and Courts of Said City Justices of the Peace; Limitations of Jurisdiction of Justices of the Peace in Said Cities; and Repealing All Acts and Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be amended as follows:

In line 4 of the title of the printed bill, after the word "Qualifications" insert the words "and fees," in line 5 after the word "Procedure" insert a comma and the following words: "Jurors and Officers," in line 8 after the word "Cities;" strike out the word "and," and in line 9 after the word "Therewith" strike out the period and insert a semicolon and the following words: "and Declaring an Emergency."

Section 1 shall read as follows:

Section 1. JURISDICTION OF POLICE MAGISTRATES AND CITY JUSTICES OF THE PEACE.) Each Police Magistrate shall have exclusive jurisdiction, and it shall be his duty to hear, try and determine all offenses against the City in which he is elected or appointed; and all Police Magistrates and City Justices of the Peace shall have concurrent jurisdiction with all Justices of the Peace of the County in all matters and other actions, civil and criminal. Justices of the Peace, except said City Justices of the Peace in counties containing cities of 5000 inhabitants or more, situate in counties where the County Court does not have increased jurisdiction, shall have no jurisdiction to hear and

determine criminal actions, or sit as committing magistrates except in cases of felony, and in cities of 5000 inhabitants or more situate in counties where the County Court does not have increased jurisdiction the Police Magistrates and City Justices of the Peace shall have exclusive jurisdiction to hear, try and determine all cases of misdemeanors and criminal actions below the grade of felony, and may sit as committing magistrates in cases of felony, and prosecutions of said criminal actions shall be by information.

Section 5 shall read as follow:

Section 5. MANNER OF SELECTING JURY IN CRIMINAL ACTION.) Jurors to serve in any criminal action in said Police Magistrate Court or Court of City Justice of the Peace shall be selected from a jury list of one hundred qualified jurors to be furnished said Police Magistrate or City Justice of the Peace by the Mayor and City Council or Board of City Commissioners, whose duty it shall be to select such names as jurors from residents of said City and to furnish said list to such Judge. Whenever said list of jurors is partly exhausted by reason of service as jurors in criminal actions, the Judges of said Court shall notify the boards whose duty it is to replenish said list, and said board shall furnish additional names to said Judges so that there shall always be one hundred names of qualified jurors in said jury box; provided, however, that no juror shall serve on more than five criminal actions in any two-year period. The governing board of the municipality shall select said list of jurors in the manner now provided by law for the selection of jurors to serve on District Court juries. The failure of said municipal board to comply strictly with the provisions of this Act shall not invalidate the list of names remaining in the jury box of said Police Magistrate or City Justice of the Peace.

Section 12 shall read as follows:

Section 12. PREJUDICE OF POLICE MAGISTRATE OR OF THE CITY JUSTICE OF THE PEACE.) When the defendant or his attorney before the trial of a criminal action commences files an affidavit in writing stating that he has reason to believe and does believe that a fair and impartial trial of the action cannot be had before the Police Magistrate or before the City Justice of the Peace about to try the same by reason of the bias or prejudice of said Police Magistrate or of said City Justice of the Peace, the action must be transferred if about to be tried by the Police Magistrate to the City Justice of the Peace, and if about to be tried by the City Justice of the Peace must be transferred to the Police Magistrate, and an order must be made transferring the same accordingly. But after such change of venue the State's Attorney or other Attorney for the State, may file a like affidavit and the action shall then be transferred to the District Court of the County.

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted.

Senator McDonald moved that further consideration of Senate Bill No. 185 be indefinitely postponed.

Which motion was lost.

The question being on the adoption of the committee report, which motion prevailed, and the report was adopted.

SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 4. A Bill for an Act Making an Appropriation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

Also,

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Also,

Senate Bill No. 7. 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.

Also,

Senate Bill No. 9. 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 Section 11302 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 10. A Bill for an Act Making an Appropriation to Pay Expenses of Erecting Headstones Over the Graves of Soldiers, Sailors, and Marines of the United States War of Rebellion.

Also,

Senate Bill No. 72. A Bill for an Act to Amend and Re-enact Section 922, Compiled Laws of 1913, Relating to Posting Notices of Primary Election.

Also,

Senate Bill No. 82. A Bill for an Act to Amend and Re-enact Section 2203, Supplement to the Compiled Laws of 1913, Providing for the Assignment of Tax Sale Certificates Held by the County, Amount to Be Paid for an Assignment Thereof, and Prescribing the Form of Such Assignment.

Also,

Senate Bill No. 63. A Bill for an Act Providing for the Appointment and Removal at Pleasure of a Procurement Officer for State Park Emergency Conservation Work as Required Under the Rules and Regulations of the Act of Congress Known as the Emergency Conservation Work Act, and of Assistant, Fixing Their Salary and Making Appropriation Therefor, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 9 of the Session Laws of North Dakota of 1933, Relating to Wolf Bounty; and Declaring an Emergency.

Were delivered to the Governor for his approval at the hour of 3:30 o'clock, February 19, 1935.

T. E. WHELAN,
Chairman.

Senator Drew requested that Senate Bill No. 279 be withdrawn from the Committee on Public Health and referred to the Committee on Women's and Children's Welfare.

Which request was granted.

Senator Gronvold asked consent to withdraw Senate Bill No. 62.

Which request was granted, and Senate Bill No. 62 was withdrawn.

Senator Bonzer moved that Senate Bills Nos. 203, 205, 209, 212 and 216 be printed at this time.

Which motion prevailed.

Senator Whelan moved that Senate Bill No. 309 be transferred from the Committee on Judiciary to the Committee on State Affairs.

Which motion prevailed.

Senator Kamrath moved that all absent Senators be excused.

Which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign

Senate Bill No. 2. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerk-hire, Travel and General Expenses of the Office of the Governor, and Declaring an Emergency.

Also,

Senate Bill No. 8. 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 of 1913.

Also,

Senate Bill No. 65. A Bill for an Act Making an Appropriation to Provide for the Payment to the City of Bismarck, North Dakota, Its Actual Expenses Incurred for the Use of the Municipal Auditorium and World War Memorial Building by the 1933 Legislative Assembly for Labor, Steamheat, Light and Power, Water, Janitors and Washroom Supplies, and Repairs and Miscellaneous Items.

Also,

Senate Bill No. 71. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit for Maintenance of the Capitol from February 1, 1935, to June 30, 1935, in the Office of the Board of Administration, and Declaring an Emergency.

Also,

Senate Bill No. 76. A Bill for an Act to Prevent the Importation and Sale of Infected Fruit; Providing for the Seizure of Infected Fruit, and Defining Penalties.

Also,

Senate Bill No. 80. A Bill for an Act to Amend and Reenact Section 2178 of the Compiled Laws of 1913 Relating to Fees of Sheriff or His Deputy for Making Distress and Sale of Goods and Chattels for the Payment of Taxes, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 102. A Bill for an Act to Amend and Reenact Section 1866A4 and Repeal Section 1866A6, Supplement to the Compiled Laws of 1913, Relating to the Northwest Agricultural Livestock and Fair Association, and Declaring an Emergency.

Also,

Senate Bill No. 103. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Maintenance of the Office of State Treasurer for the Remainder of the Fiscal Year Ending June 30, 1935, and Declaring an Emergency.

Also,

Senate Bill No. 109. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-third Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION No. "Q"

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 19, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 2. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerk-hire, Travel and General Expenses of the Office of the Governor, and Declaring an Emergency.

Also,

Senate Bill No. 8. 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 of 1913.

Also,

Senate Bill No. 65. A Bill for an Act Making an Appropriation to Provide for the Payment to the City of Bismarck, North Dakota, Its Actual Expenses Incurred for the Use of the Municipal Auditorium and World War Memorial Building by the 1933 Legislative Assembly for Labor, Steamheat, Light and Power, Water, Janitors and Washroom Supplies, and Repairs and Miscellaneous Items.

Also,

Senate Bill No. 71. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit for Maintenance of the Capitol from February 1, 1935, to June 30, 1935, in the Office of the Board of Administration, and Declaring an Emergency.

Also,

Senate Bill No. 76. A Bill for an Act to Prevent the Importation and Sale of Infected Fruit; Providing for the Seizure of Infected Fruit, and Defining Penalties.

Also,

Senate Bill No. 80. A Bill for an Act to Amend and Re-enact Section 2178 of the Compiled Laws of 1913 Relating to Fees of Sheriff or His Deputy for Making Distress and Sale of Goods and Chattels for the Payment of Taxes, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 102. A Bill for an Act to Amend and Re-enact Section 1866A4 and Repeal Section 1866A6, Supplement to the Compiled Laws of 1913, Relating to the Northwest Agricultural Livestock and Fair Association, and Declaring an Emergency.

Also,

Senate Bill No. 103. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Maintenance of the Office of State Treasurer for the Remainder of the Fiscal Year Ending June 30, 1935, and Declaring an Emergency.

Also,

Senate Bill No. 109. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-third Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION "Q"

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Fredrickson moved that the Senate do concur in the House amendment to Senate Bill No. 112.

Senator Thatcher moved as a substitute motion that the Senate do not concur in the House amendment to Senate Bill No. 112 and that a Conference Committee be appointed.

Which motion prevailed.

The President announced the appointment of Senators Thatcher, Watt and Stucke as the Senate Conference Committee on Senate Bill No. 112.

Senator Cain moved that the Senate do concur in the House amendment to Senate Bill No. 122.

Which motion prevailed.

Senator Cain moved that the rules be suspended and that Senate Bill No. 122, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

ROLL CALL

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.
Bonzer	Johnson	Nelson, Barnes
Braaten	Jones	Nelson, Grand Fks.
Brostuen	Kamrath	Owings

Messrs.	Messrs.	Messrs.
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Crandall	Lemke	Stucke
Drew	Lind	Thatcher
Dubay	Lowe	Thorson
Eastgate	Lynn	Topp
Erickson	Marshall	Trout
Ettestad	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fine	Greene, Cavalier	Trovatten

So the bill passed and the title was agreed to, and the emergency clause declared carried.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 19, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 112 and the President has appointed as a Conference Committee, Senators Thatcher, Watt and Stucke.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 19, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 122.

Very respectfully,

F. E. TUNELL,
Secretary.

SENATE CONCURRENT RESOLUTION No. "A-d"

Introduced by Senate Committee on Appropriations

Concurrent Resolution Requesting the Federal Government to Assign Additional Civilian Conservation Corps Units to North Dakota.

WHEREAS, The Government of the United States has heretofore assigned several Civilian Conservation Corps units

to North Dakota for service in the development of the park, forest and water resources of the state, and such services have been and are in inestimable aid in immediately alleviating unemployment, relieving distress and stimulating business and industry, as well as of great permanent benefit to the state in the construction of parks, development of forests, and in the conservation of water resources, and

WHEREAS, owing to the devastating effects of the long continued drought in North Dakota, the people of the state are in great need of the continued services of Civilian Conservation Corps Units, both as the means of alleviating the economic crisis which now prevails, and as an agency of future services in the proper development of the park, forest and water resources of the state;

Now, Therefore, BE IT RESOLVED by the Senate of the State of North Dakota, the House of Representatives concurring, that this Legislative Assembly does hereby express its deep appreciation to the Government of the United States, and particularly the National Park Service, and United States Forest Service for the valuable aid received through the services of the Civilian Conservation Corps Units which have been heretofore and are now stationed in North Dakota, and do respectfully request the Federal Government, through its proper officers, to assign to North Dakota for like services in 1935, as many additional Civilian Conservation Corps Units as possible, consistent with sound national policy, and does hereby pledge the cooperation of the state in carrying on the work of all Civilian Conservation Corps so assigned.

Referred to the Committee on State Affairs.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Roger Bond, Bottineau; Mr. and Mrs. J. W. Bliss, Minot; S. E. Klein, Balta; E. J. Collette, Grand Forks.

Senator Jones moved that the Senate recess until 1:00 o'clock P. M. tomorrow.

Which motion prevailed.

F. E. TUNELL,
Secretary.

FORTY-THIRD DAY AFTER RECESS AND THE
FORTY-FOURTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 20, 1935.

The Senate convened at 1:00 P. M., pursuant to recess,
President pro tem. Marshall presiding.

SENATE COMMITTEE ON ENROLLMENT AND
ENGROSSMENT

The Committee on Enrollment and Engrossment made
the following report:

Mr. President: Your Committee on Enrollment and En-
grossment respectfully report that they have examined the
following bills:

Senate Bill No. 3. A Bill for an Act Making an Appro-
priation to Provide for the Payment of a Deficit in the Salary
and, also, the Expenses of District Judges While Holding
Court Outside the County in Which the Judges Reside and
While Serving on the Supreme Court Bench.

Also,

Senate Bill No. 20. A Bill for an Act Making an Appro-
priation for the General Maintenance, Improvements and
Repairs, Equipment and Miscellaneous Expenses of the State
School for the Blind at Bathgate.

Also,

Senate Bill No. 21. A Bill for an Act Making an Appro-
priation for the General Maintenance, Improvements and
Repairs and Equipment of the School for the Deaf at Devils
Lake, North Dakota.

Also,

Senate Bill No. 89. A Bill for an Act to Amend and Re-
enact Section 4 of Chapter 162 of the 1933 Session Laws,
Providing for Taxation of Motor Vehicles Using the High-

ways of the State of North Dakota for Commercial Purposes, and Engaged in Transportation for Hire in Interstate Commerce.

Also,

Senate Bill No. 95. A Bill for an Act to Amend and Re-enact Section 7643, Supplement to the Compiled Laws of 1913, Relating to Directed Verdicts, and Declaring an Emergency.

Also,

Senate Bill No. 154. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 19 of Chapter 179 of the Session Laws of 1927, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 3084a2, 3084a3, 3084a7 and 3084a9, Supplement to the Compiled Laws of 1913, Providing for the Appointment of the State Coal Mine Inspector by the Workmen's Compensation Bureau, Defining Eligibility to That Office, Providing for Assistance and Instruments to Be Furnished to the Inspector and for Payment Therefor and Providing for the Filling of Temporary Vacancies in the Office, and Declaring an Emergency.

Also,

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 162 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION T

A Concurrent Resolution Petitioning the President, Etc., to Permit Limited Quantities of Feed Grains to Be Shipped Into the United States, Duty Free, to Relieve the Acute Feed Situation.

And find the same correctly enrolled.

Also,

Senate Bill No. 23. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession during the Extended Period, and Limiting the Right to Emergency Actions for Deficiency

Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act.

Also,

Senate Bill No. 75. A Bill for an Act to Provide for Liens in Favor of Hospitals and Other Charitable Institutions Furnishing Care, Treatment and Maintenance of Persons Injured in Accidents, not Subject to the Provisions of the Workmen's Compensation Act of North Dakota, for the Reasonable Value of the Service so Rendered, Upon the Rights of Action, Claims or Demands of Such Injured Persons, or Judgment Recovered Thereon, Against Other Persons, or Corporations, liable in Tort for Damages, on Account of Negligence Causing the Injuries, and Upon the Proceeds of the Settlements of Any Such Claims or Demands; and Upon and Against the Insurers of Such Tort Feasor or Tort Feasors; and Upon Insurance Held by the Injured Person, and Providing for Constructive Notice Upon Such Insurers, Tort Feasors and their Insurers, if any, by a Filing of a Lien Statement with the Clerk of the District Court of the County in Which Such Services Are Rendered.

Also,

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 26, 27, 31, 32 and 33 of Chapter 164, of the Session Laws for 1933, Relating to Regulation of Motor Vehicle Transportation, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

And find the same correctly re-engrossed.

Also,

Senate Bill No. 29. A Bill for an Act Providing for the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees; and to Repeal All Acts or Parts of Acts in Conflict Herewith, Including Sections 910-916, Inclusive, Compiled Laws 1913 and Chapter 137 of the Session Laws of the Year 1927 and Chapter 123 of the Session Laws of the Year 1929.

Also,

Senate Bill No. 159. A Bill for an Act to Provide for Reciprocal Fire Underwriters' Licenses.

Also,

Senate Bill No. 94. A Bill for an Act to Provide for Physical Examination of Persons Engaged in Driving Motor Propelled Vehicles Used for the Transportation of School Children, and to Provide Mechanical Inspection and Requirements of Such Vehicles, Also Providing for the Enforcement of the Provisions of This Act, and Punishment for Violation Thereof.

Also,

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 7731, Supplement to the Compiled Laws of 1913, Relating to Exemptions of Personal Property from Attachment, Levy and Sale on Execution, and Defining "Head of Family" as Defined by Section 5626 of the Compiled Laws of 1913, and Exemptions of a Single Person, and Declaring an Emergency.

Also,

Senate Bill No. 147. A Bill for an Act Creating a State Board to Be Known as "State Council of Public Safety," Purpose, Appointment of Members, Term of Office, Duties of Council and How Financed.

Also,

Senate Bill No. 161. A Bill for an Act Providing for the Regulation of Dealers in Livestock, and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Records Required of Dealer; Feeding, Watering and Weighing; Acts of Deceit, Fraud and Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act, and, Repealing all of Chapter 7 of the Session Laws of the State of North Dakota for the Year 1933; and Repealing all Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Also,

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 309, Session Laws of 1931, Relating to Veterans' Guardianship, and Declaring an Emergency.

Also,

Senate Bill No. 185. A Bill for an Act Defining the Jurisdiction of Police Magistrates and City Justices of the Peace in Criminal Actions in Cities of Five Thousand Inhabitants or More in Counties Wherein the County Court Does Not Have Increased Jurisdiction; Qualifications and Fees of Said Police Magistrate and City Justices of the Peace; Procedure, Jurors and Officers in Said Police Magistrate Courts and Courts of Said City Justices of the Peace; Limitations of Jurisdiction of Justices of the Peace in Said Cities; and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 186. A Bill for an Act Transferring \$78,293.94 From Certain Fund in Office of State Treasurer, Derived From the United States, to the State Equalization Fund, Appropriating the Same for School Purposes, and Providing That Funds Derived in the Future From Same Source Shall Be Placed in the State Equalization Fund and Used for School Purposes, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

Senate Bill No. 198. A Bill for an Act Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith and Making the Same an Emergency Measure.

Also,

Senate Bill No. 242. A Bill for an Act to Amend and Re-enact Section 11119, Compiled Laws of 1913, and to Permit the Deposit of Money or Bonds as Bail in Criminal Cases.

Also,

Senate Bill No. 245. A Bill for an Act to Fix the Venue of Crimes Committed in or Against Aircraft in Flight, and Upon Trains or Other Vehicles.

Also,

Senate Bill No. 255. A Bill for an Act to Amend and Re-enact Sections 3028 and 3034 of the Compiled Laws of the State of North Dakota for 1913, Relating to Licensing of Peddlers and Declaring an Emergency.

Also,

Senate Bill No. 268. A Bill for an Act to Regulate and Control the Charges and Commissions Asked by Local Farm Machinery Dealers or Agents, for Parts and Extras Which Are Not Carried in Local Stock; Defining Violations; Providing for Enforcement and Prosecution, and Supersedence of This Act.

Also,

SENATE RESOLUTION NO. F.

A Resolution Extending Thanks to Senator Frazier and Congressman Lemke in re Frazier-Lemke Farm Moratorium Act.

Also,

SENATE CONCURRENT RESOLUTION No. Z

A Concurrent Resolution Asking for a Preliminary Survey For the Purpose of Constructing a Dam on the Missouri River at or Near the Location of Bridge at Sanish.

And find the same correctly engrossed.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

February 20, 1935.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 4. A Bill for an Act Making an Appropriation to Defray Expenses of the Delegates to National Political Conventions as Prescribed by Section 916 of the Compiled Laws of 1913.

Also,

Senate Bill No. 6. A Bill for an Act Making an Appropriation for the Care of Insane Patients Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Also,

Senate Bill No. 7. 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.

Also,

Senate Bill No. 9. 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 Section 11302 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

Senate Bill No. 10. A Bill for an Act Making an Appropriation to Pay Expenses of Erecting Headstones Over the Graves of Soldiers, Sailors, and Marines of the United States War of the Rebellion.

Also,

Senate Bill No. 63. A Bill for an Act Providing for the Appointment and Removal at Pleasure of a Procurement Officer for State Park Emergency Conservation Work as Required Under the Rules and Regulations of the Act of Congress Known as the Emergency Conservation Work Act, and of Assistant, Fixing Their Salary and Making Appropriation Therefor, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 9 of the Session Laws of North Dakota of 1933, Relating to Wolf Bounty; and Declaring an Emergency.

Also,

Senate Bill No. 72. A Bill for an Act to Amend and Re-enact Section 922, Compiled Laws of 1913, Relating to Posting of Notices of Primary Election.

Also,

Senate Bill No. 82. A Bill for an Act to Amend and Re-enact Section 2203, Supplement to the Compiled Laws of 1913, Providing for the Assignment of Tax Sale Certificates Held by the County, Amount to Be Paid for an Assignment Thereof, and Prescribing the Form of Such Assignment.

Very truly yours,

WALTER WELFORD,
Governor.

SECOND READING OF SENATE BILLS

Senate Bill No. 123. A Bill for an Act Providing for the Procuring of Coal Mine Licenses from the State Coal Mine Inspector, the Establishment of the State Coal Mining Safety Fund from Such Fees and for the Disbursement Thereof, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and Reporting Thereof to the State Coal Mine Inspector and Commissioner of Agriculture and Labor, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court from Such Order of Revocation, Providing a Penalty for Failure to Comply with the Law, Repealing Sections 3081, 3082, 3083 and 3084 of the Compiled Laws of the State of North Dakota for the Year 1913 and all Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Handley	Miklethun
Braaten	Johnson	Mutchler
Brostuen	Jones	Nelson, Barnes
Cain	Kolpin	Owings
Coffey	Kroeber	Peterson
Crandall	Lemke	Strehlow
Drew	Lind	Thatcher
Dubay	Low	Thorson

Messrs.	Messrs.	Messrs.
Erickson	Lynn	Topp
Ettestad	Marshall	Vinje
Fredrickson	Matthaei	Watt
Greene, Cavalier	McDonald	Whelan
Greene, Stutsman	McGillic	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	Kamrath	Trout
Fine	Nelson, Grand Fks.	Trovatten
Fowler	Stucke	Wog

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 232. A Bill for an Act to Make an Appropriation to Provide for Payment of a Deficit in the Maintenance of the National Guard Fund.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 40; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	McDonald
Braaten	Gronvold	McGillic
Brostuen	Handley	Miklethun
Cain	Johnson	Mutchler
Coffey	Jones	Nelson, Barnes
Crandall	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Thatcher
Erickson	Lind	Topp
Ettestad	Lowe	Vinje
Fine	Lynn	Watt
Fowler	Marshall	Whelan
Fredrickson	Matthaei	Young
Greene, Cavalier		

Those voting in the negative were:

Messrs.	Messrs.
Owings	Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	Stucke	Trovatten
Kamrath	Trout	Wog
Nelson, Grand Fks.		

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 148. A Bill for an Act Appropriating the Sum of Thirty Thousand (\$30,000.00) Dollars, or so Much Thereof as May Be Required, to Reimburse the Bank of North Dakota for Certain Funds Loaned to the State Historical Society, for the Purpose of Purchasing State Park Lands.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 34; nays, 8; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Miklethun
Braaten	Kolpin	Mutchler
Brostuen	Kroeber	Nelson, Barnes
Coffey	Lemke	Peterson
Crandall	Lind	Strehlow
Drew	Lowe	Thorson
Dubay	Lynn	Topp
Fine	Marshall	Trovatten
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Handley	Trout
Ettestad	Owings	Young
Gronvold	Thatcher	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	Kamrath	Stucke
Erickson	Nelson, Grand Fks	Wog
Jones		

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Thatcher: "I feel just the same as Senator Watt. He has expressed my opinions as well as I could express them myself and therefore, I vote No."

Senator Watt moved that the Senate do now adjourn.

Which motion prevailed.

FORTY-FOURTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 20, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Father Schmidt.

Roll Call: All Senators were present except Senator Nelson of Grand Forks.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-third day and recommend that the same be corrected as follows:

On page 23, line 14, correct the spelling of the word "substitute."

On page 40 in the third line from the bottom of the page, cross out the figure "2" and insert in lieu thereof the letter "Q."

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

Senator Owings moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The following Petitions and Communications were received and read from the desk:

A petition was presented, signed by C. C. Wells of the Fargo Young People's Branch condemning any legislation which would legalize hard liquor.

A petition presented by Senator Kroeber, signed, Mike Hock, and 147 others, in support of hard liquor legislation.

A petition presented from Cavalier, No. Dak., signed, Rev. Frank Shallcross and 121 others, against hard liquor.

A petition for the same purpose, signed, Mrs. Cora Amerland, Fargo.

Which were referred to the Committee on Temperance.

A petition, signed, Oscar L. Vinge, and four other members of the Board of County Commissioners of Bottineau county, asking the restoration of motor vehicle license fees for road purposes.

Referred to the Committee on Highways.

A petition presented by Senator Miklethun, signed, Mrs. Henry S. Nelson, of Farmers Union Local No. 4, demanding passage of the Weighing and Grading Bill.

Referred to the Committee on Agriculture.

A resolution presented by the Cuba Parent-Teachers Association regarding school legislation.

A petition presented by Farmers Union Local No. 677, asking the establishment of a correspondence course in high school subjects.

A petition presented by Senator Greene of Stutsman, signed, Mrs. S. F. Bogen and twenty-five other members of the Roosevelt Parent-Teachers Association, regarding school legislation.

A petition presented by Senator Peterson, signed, Representative Usher L. Burdick, regarding legislation concerning securities commission.

A resolution presented by Senator Miklethun, signed, Walter Carl and seventeen other members of the Getchell Parent-Teachers' Association, regarding school legislation.

A petition from the same source regarding education.

A petition presented by Senator McDonald, signed, L. V. Zoller and thirty-one others in opposition to Senate Bill No. 118.

Referred to the Committee on State Affairs.

A petition presented by Senator Eastgate, signed, Ann Sjowall and 88 others in opposition to closing the State Teachers' College at Mayville.

A petition in the form of a telegram, presented by Senator Whelan, signed, J. H. Lee, of Neche, asking that the Mayville Normal be closed as an economy measure.

A petition presented by Senator Marshall, signed, R. L. Colvin of the Parent-Teachers Association of Finley, asking that the State Teachers' College at Mayville be continued.

A petition presented by Senator Fredrickson, signed, A. W. Hull and seven others, in support of the Ellendale State Normal, and eleven other like petitions.

Petitions were presented by Senator Vinje carrying 517 signatures from Traill County citizens in support of the Mayville Teachers' College.

Which were referred to the Committee on Taxes and Tax Laws.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 20, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 140. A Bill for an Act Providing for the Regulation of Aeronautics Within this State; Providing for Uniformity with Federal Laws Regulating Aeronautics; Creating a State Aeronautics Commission; Providing the

Powers and Duties of Such Commission; Providing for the Promulgation and Issuance of Rules and Regulations by Such Commission.

Which the Senate has indefinitely postponed.

Also,

Senate Bill No. 123. A Bill for an Act Providing for the Procuring of Coal Mine Licenses from the State Coal Mine Inspector, the Establishment of the State Coal Mining Safety Fund from Such Fees and for the Disbursement Thereof, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and Reporting Thereof to the State Coal Mine Inspector and Commissioner of Agriculture and Labor, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court from Such Order of Revocation, Providing a Penalty for Failure to Comply with the Law, Repealing Sections 3081, 3082, 3083 and 3084 of the Compiled Laws of the State of North Dakota for the Year 1913 and all Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 232. A Bill for an Act to Make an Appropriation to Provide for Payment of a Deficit in the Maintenance of the National Guard Fund.

Also,

Senate Bill No. 148. A Bill for an Act Appropriating the Sum of Thirty Thousand (\$30,000.00) Dollars, or so Much Thereof as May Be Required, to Reimburse the Bank of North Dakota for Certain Funds Loaned to the State Historical Society, for the Purpose of Purchasing State Park Lands.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 266. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Re-touch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits

Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation. Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In the last line of the title after the word "Appropriation" strike out the period, insert in lieu thereof a comma, and add the following language "and declaring an."

In line 3, of Section 2 of the printed bill, strike out the following language and figures, "Two Thousand Five Hundred Dollars (\$2,500.00)" and insert in lieu thereof the following, "Two Thousand Dollars (\$2,000.00)."

In line one of Section 3 of the printed bill after the figure "3" insert the following, "EMERGENCY."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 261. A Bill for an Act Transferring a Sum of Fifty Thousand Dollars from the General Fund to the "Returned Soldiers Fund" Heretofore Transferred from the Returned Soldiers Fund to the General Fund Under the Provisions of Chapter 82 of the Session Laws of 1931.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out the period at the end of the title, insert a comma in lieu thereof and add the following language, "and Declaring an Emergency."

In line 4 of the printed bill, strike out the following, "1931" and insert in lieu thereof the figures "1913."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 249. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend from the Present Sewerage System of the State Penitentiary to Connect With the Sewerage System of the City of Bismarck at the Intersection of the Center Line of Main Avenue and Ninth Street in the City of Bismarck; Making an Appropriation Therefor; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In the line just above the words "A Bill" strike out the words "Senator McDonald" and insert in lieu thereof the following, "Committee on Appropriations."

On Page 1 of the printed bill, strike out everything after the words "A Bill" and insert in lieu thereof the following:

"For an Act authorizing the Board of Administration to construct a sewerage system to extend the present sewerage system of the State Penitentiary to connect with the City of Bismarck system of sewerage, providing for the use of prison labor, or to make provision for its construction by governmental agency; making an appropriation therefor, and declaring an emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

Section 1. The Board of Administration is hereby authorized and directed to construct a sewerage system to extend from the present sewerage system of the State Penitentiary to the sewerage system of the City of Bismarck at the intersection of the center line on Main Avenue and Ninth Street in the City of Bismarck, providing that such city will permit connection without present or future expense to the State of North Dakota, and for such purpose the Board of Administration is hereby authorized and directed to purchase all materials and supplies necessary therefor, and to employ either prison labor for the purpose of doing the necessary work or in lieu thereof, the Board of Administration is authorized and directed to secure the performance of the necessary labor for the construction of such sewerage system through the Federal Emergency Relief Administration, or any other governmental agency by which such work may be done, in whole or in part.

Section 2. There is hereby appropriated out of any funds in the state treasury not otherwise appropriated the sum of \$13,214.90 or so much thereof as may be necessary to pay the necessary cost of materials, equipment and superintendence of the construction of such sewerage system, to-wit:

Materials, engineering, contingencies, rental of	
Equipment and Workmens' Compensation insurance	\$12,277.40
Skilled foreman	\$ 937.50
Total	\$13,214.90

Section 3. EMERGENCY.) An emergency is hereby de-

clared to exist inasmuch as the present sewerage system of the State Penitentiary creates a nuisance and a menace to public health, 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. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

A majority of the Committee on State Affairs made the following report:

Mr. President: A majority of your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "V"

A Concurrent Resolution Memorializing Congress to Submit to the States for Ratification a Proposed Amendment to the Constitution of the United States Providing for Referendum of the People Before Declaring War.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. P. CAIN,
T. E. WHELAN,
A. W. FOWLER,
OLE ETTESTAD,
O. E. ERICKSON,
A. F. BONZER, Jr., Chairman.

A minority of the Committee on State Affairs made the following report:

Mr. President: A minority of your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "V"

A Concurrent Resolution Memorializing Congress to Submit to the States for Ratification a Proposed Amendment to the Constitution of the United States Providing for Referendum of the People Before Declaring War.

Have had the same under consideration and recommend that the same be adopted.

J. K. BROSTUEN,
JOHN L. MIKLETHUN,
W. E. MATTHAEI,
ALEX LIND,
HARRY PETERSON,
GUST WOG.

Senator Miklethun requested that Senate Resolution "V" be read in full from the desk.

Which request was granted.

Senator Peterson moved that the report of the minority be adopted.

Senator Miklethun demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the motion of Senator Miklethun that the minority report be adopted and Senate Concurrent Resolution "V" be recommended for adoption, 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.
Braaten	Kamrath	Owings
Brostuen	Kolpin	Peterson
Dubay	Lemke	Strehlow
Fine	Lind	Stucke
Fredrickson	Marshall	Thatcher
Greene, Cavalier	Matthaei	Thorson
Greene, Stutsman	McDonald	Topp
Handley	Miklethun	Trout
Johnson	Mutchler	Vinje
Jones	Nelson, Barnes	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Ettestad	McGillic
Cain	Fowler	Trovatten
Coffey	Gronvold	Watt
Crandall	Kroeber	Whelan
Drew	Lowe	Young
Eastgate	Lynn	

Absent and not voting:

Messrs.	Messrs.
Erickson	Nelson, Grand Fks.

So the resolution was recommended for adoption.

Senator Fine moved that the vote by which Senate Concurrent Resolution "V" was recommended for adoption, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Bonzer: "In the event of war the congressional powers together with the President can act in the event of an invasion.

"Under this Resolution we apparently must arm the young men of America with 'broom sticks' because we would have to put the matter to a vote of the people before we could declare war.

"The high water seas today are carrying battleships, but our ports are not protected because America has always followed a peaceful policy.

"I am voting 'no' on this Resolution in defense of the young people of America."

Senator Cain: "Along about 1812 or thereabouts, our Nation's capital and property of the United States Government was destroyed because of lack of preparation and therefore I vote 'no' on this Resolution."

Senator Eastgate: "On account of the fast machinery we have today, aeroplanes and other things, I think we have not time to prepare for war if we have to refer it to the people before we can defend ourselves, and therefore, I vote 'no'."

Senator Fine: "I vote 'yes' on this Resolution. The evidence that has been brought out in Washington in the Munitions investigation clearly demonstrate to me that we have a concerted movement on foot to drive people into wars to the end that certain wealthy people can increase their wealth, at the expense of the blood and lives of the people of our Country. I vote 'aye'."

A majority of the Committee on State Affairs made the following report:

Mr. President: A majority of your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "S"

A Concurrent Resolution Memorializing Congress to Pass Legislation Prohibiting Private Manufacture and Sale of War Munitions and Providing that the Government of the United States Shall Have a Full and Complete Monopoly Thereof.

Have had the same under consideration and recommend that the same be adopted.

OLE ETTESTAD,
J. K. BROSTUEN,
JOHN L. MIKLETHUN,
W. E. MATTHAEI,
ALEX LIND,
HARRY PETERSON,
GUST WOG.

A Minority of the Committee on State Affairs made the following report:

Mr. President: A Minority of your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "S"

A Concurrent Resolution Memorializing Congress to Pass Legislation Prohibiting Private Manufacture and Sale of

War Munitions, and Providing that the Government of the United States Shall Have a Full and Complete Monopoly Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. P. CAIN,
T. E. WHELAN,
A. W. FOWLER,
O. E. ERICKSON.
A. F. BONZER, Jr., Chairman.

Senator Miklethun requested that Senate Resolution "S" be read in full from the desk.

Which request was granted.

Senator Bonzer moved that the report of the Minority be adopted.

Senator Miklethun demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the motion of Senator Bonzer that the Minority report be adopted and Senate Concurrent Resolution "S" be indefinitely postponed.

The roll was called and there were ayes, 15; nays, 33; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Erickson	Lynn
Cain	Fowler	McGillic
Coffey	Gronvold	Trovatten
Crandall	Kroeber	Watt
Eastgate	Lowe	Whelan

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Drew	Kolpin	Strehlow
Dubay	Lemke	Stucke
Ettestad	Lind	Thatcher
Fine	Marshall	Thorson
Fredrickson	Matthaei	Topp
Greene, Cavalier	McDonald	Trout
Greene, Stutsman	Miklethun	Vinje
Handley	Mutchler	Wog
Johnson	Nelson, Barnes	Young

Absent and not voting:

Messrs.
Nelson, Grand Fks.

So the motion was lost.

The question being on the adoption of the Majority report, the motion prevailed and the Majority report was adopted, and Senate Concurrent Resolution "S" was recommended for adoption.

The Committee on Irrigation and Drainage made the following report:

Mr. President: Your Committee on Irrigation and Drainage to whom was referred:

Senate Bill No. 219. A Bill for an Act Providing That No Fee Shall Be Charged or Collected for the Recording or Filing of Any Document Required by the United States or the State of North Dakota for Any Water and/or Wild-life Conservation Project; Repealing All Acts or Parts of Acts in Conflict Herewith, Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

F. T. GRONVOLD,
Chairman.

Senator Gronvold moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Irrigation and Drainage made the following report:

Mr. President: Your Committee on Irrigation and Drainage to whom was referred:

Senate Bill No. 218. A Bill for an Act Providing That the State and the Several Counties of the State Are Authorized to Acquire by Purchase, Exchange, Gift, Condemnation or Otherwise the Title to Any Land Within the Same Political Subdivision for the Purpose of Establishing Any Public Park or Recreational Area, or for the Purpose of Constructing, Maintaining and Operating Any Water and/or Wild-life Conservation Project; Providing That All Lands to Be Purchased or Exchanged Under Authority of This Act Shall Be Appraised by the Existing Appraisal Agencies of the Parties to the Contract; Providing That Where No Such Appraisal Agency Exists the County Board of Appraisers Shall Determine the Value Thereof, and Providing That No Land Shall Be Purchased for More Than the Appraised Value, nor Shall Any Lands Owned by the State or the Several Counties Be Exchanged Except for Lands of an Equal Appraised Value; Providing That the State of North Dakota Shall Reserve All Mineral Rights to All State Lands Transferred Under Authority of This Act; Providing a Saving Clause; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

On Page 1 of the printed bill, Line 11 of the title, strike out the word "appraisers" and insert in lieu thereof the word "Commissioners."

On Page 2 of the printed bill, Section 2, Line 4, strike out the word "appraisers" and insert in lieu thereof the word "Commissioners."

And when so amended recommend the same do pass.

F. T. GRONVOLD,
Chairman.

Senator Gronvold moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Irrigation and Drainage made the following report:

Mr. President: Your Committee on Irrigation and Drainage to whom was referred:

Senate Bill No. 226. A Bill for an Act to Amend and Re-enact Sections 8320a13, 8320a14, 8320a19, 8320a20 and 8320a22 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Flood Irrigation Projects.

Have had the same under consideration and recommend that the same be amended as follows:

On Page 1 of the Printed bill, amend the title of the bill to read as follows:

"For an act to amend and re-enact Sections 8320a13, 8320a14, 8320a19, 8320a20 and 8320a22 of the Supplement to the Compiled Laws of 1913 relating to flood irrigation projects, and declaring an emergency."

On Page 1 of the printed bill, amend Section 1 to read as follows:

"Section 1. AMENDMENT.) That Section 8320a13 of the Supplement to the Compiled Laws of 1913 be and the same is hereby amended and re-enacted to read as follows:"

On Page 1 of the printed bill, in Line 11, correct spelling of the word "interest."

On Page 2 of the printed bill, amend Section 2 to read as follows:

"Section 2. AMENDMENT.) That Section 8320a14 of the Supplement to the Compiled Laws of 1913 be and the same is hereby amended and re-enacted to read as follows."

On Page 3 of the printed bill, amend Section 3 to read as follows:

"Section 3. AMENDMENT.) That Section 8320a19 of the Supplement to the Compiled Laws of 1913 be and the same is hereby amended and re-enacted to read as follows:"

On Page 4 of the printed bill, amend Section 4 to read as follows:

"Section 4. AMENDMENT.) That Section 8320a20 of the Supplement to the Compiled Laws of 1913 be and the same is hereby amended and re-enacted to read as follows:"

On Page 4 of the printed bill, amend Section 5 to read as follows:

"Section 5. AMENDMENT.) That Section 8320a22 of the Supplement to the Compiled Laws of 1913 be and the same is hereby amended and re-enacted to read as follows:"

And when so amended recommend the same do pass.

F. T. GRONVOLD,
Chairman.

Senator Gronvold moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 20, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 2. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerk-hire, Travel and General Expenses of the Office of the Governor, and Declaring an Emergency.

Also,

Senate Bill No. 8. 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 of 1913.

Also,

Senate Bill No. 65. A Bill for an Act Making an Appropriation to Provide for the Payment to the City of Bismarck, North Dakota, Its Actual Expenses Incurred for the Use of the Municipal Auditorium and World War Memorial Building by the 1933 Legislative Assembly for Labor, Steamheat, Light and Power, Water, Janitors and Washroom Supplies, and Repairs and Miscellaneous Items.

Also,

Senate Bill No. 71. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit for Maintenance of the Capitol from February 1, 1935, to June 30, 1935, in the Office of the Board of Administration, and Declaring an Emergency.

Also,

Senate Bill No. 76. A Bill for an Act to Prevent the Im-

portation and Sale of Infected Fruit; Providing for the Seizure of Infected Fruit, and Defining Penalties.

Also,

Senate Bill No. 80. A Bill for an Act to Amend and Re-enact Section 2178 of the Compiled Laws of 1913 Relating to Fees of Sheriff or His Deputy for Making Distress and Sale of Goods and Chattels for the Payment of Taxes, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 102. A Bill for an Act to Amend and Re-enact Section 1866A4 and Repeal Section 1866a6, Supplement to the Compiled Laws of 1913, Relating to the Northwest Agricultural Livestock and Fair Association, and Declaring an Emergency.

Also,

Senate Bill No. 103. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Maintenance of the Office of State Treasurer for the Remainder of the Fiscal Year Ending June 30, 1935, and Declaring an Emergency.

Also,

Senate Bill No. 109. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-third Session of the Legislative Assembly of the State of North Dakota, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION Q

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 20, 1935.

Mr. President: I have the honor to return herewith the following:

SENATE CONCURRENT RESOLUTION R

Which the House has adopted unchanged.

Also,

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1291, Compiled Laws of 1913, Concerning Elections in Independent School Districts, Placing Control

Thereof in the Hands of the Board of Education, and Providing for Special Elections in Such Districts and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the House passed unchanged.

Also transmit:

HOUSE CONCURRENT RESOLUTION A-12

Which the House has adopted.

Also:

House Bill No. 188. A Bill for an Act Relating to the Granting of Preventative Relief, Prescribing Conditions Thereof and Provisions Therefor; and Repealing Sections 7214a1, 7214a2 and 7214a3 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 250. A Bill for an Act Validating Certain County Warrants for Poor Relief Issued Under and by Virtue of Section 4, Chapter 98 of Session Laws of North Dakota for 1933, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 44. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Also,

House Bill No. 112. A Bill for an Act Regulating the Purchase, Use, Administering and Handling of Hog Cholera Virus, and Providing Penalties Therefor.

Also,

House Bill No. 235. A Bill for an Act to Amend and Re-enact Section 9070 of the 1913 Compiled Laws of the State of North Dakota Relating to Notice to Vacate Premises.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 20, 1935.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 8. A Bill For an Act to Amend and Re-enact Sections 2 and 8 of Chapter 95, Session Laws of 1929: "An Act to Regulate the Practice of Chiropody, to Create a State Board of Chiropody, to Provide for the Examination and Licensing of Chiropodists and Providing Penalties for the Violation Thereof."

Also,

House Bill No. 96. A Bill for an Act to Make It Lawful to Make Devises, Bequests, Legacies and Gifts to Any State Educational, Charitable, or Penal Institution; Providing that Title Thereto Shall Be Held by the State in Trust, and Regulating the Use of Such Property and Its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made, and Declaring an Emergency.

Also,

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 975 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Publication of Nominations for Office and Fixing Duty of County Auditor With Reference Thereto and Providing for the Number of Publications Thereof.

Also,

House Bill No. 131. A Bill for an Act to Amend and Re-enact Section 1, Chapter 159, Session Laws for 1931, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, Defining Imitation Ice Cream.

Also,

HOUSE CONCURRENT RESOLUTION A-6

Which the Speaker has signed, and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 20, 1935.

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate on Senate Bill No. 112, Representatives Child, Hurd and Morris.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

REPORT OF STANDING COMMITTEES

The Committee on Irrigation and Drainage made the following report:

Mr. President: Your Committee on Irrigation and Drainage to whom was referred:

HOUSE CONCURRENT RESOLUTION "A-15"

A concurrent resolution petitioning Congress to appoint Commission of Engineers to investigate possibilities of Missouri River development in North Dakota.

Have had the same under consideration and recommend that the same be adopted.

F. T. GRONVOLD,
Chairman.

Senator Gronvold moved that the report be adopted, which motion prevailed and the report was adopted.

A Majority of the Committee on Judiciary made the following report:

Mr. President: A Majority of your Committee on Judiciary to whom was referred:

Senate Bill No. 144. A Bill for an Act to Amend and Re-enact Chapter 158 of the Session Laws of North Dakota for the Year 1933, Relating to Restriction of Foreclosure of Real Estate Mortgage by Advertisement, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

A. W. FOWLER,
T. E. WHELAN,
GEORGE V. COFFEY,
HARRY C. LYNN,
MILTON R. YOUNG,
O. E. ERICKSON,
F. T. GRONVOLD.
J. P. CAIN, Chairman.

A Minority of the Committee on Judiciary made the following report:

Mr. President: A Minority of your Committee on Judiciary to whom was referred:

Senate Bill No. 144. A Bill for an Act to Amend and Re-enact Chapter 158 of the Session Laws of North Dakota for the Year 1933, Relating to Restriction of Foreclosure of Real Estate Mortgage by Advertisement, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. E. GREENE,
S. S. McDONALD,
E. C. STUCKE,
C. W. FINE,
OLE ETTESTAD,
W. E. MATTHAEI.

Senator Cain moved that the report of the Majority be adopted.

Senator Fine moved as a substitute motion that the word "Minority" be substituted for the word "Majority."

Which motion was lost.

The question being on the adoption of the Majority report, which motion prevailed and the Majority report was adopted, and Senate Bill No. 144 was recommended for passage.

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 Amend and Re-enact Chapter 185 of the Session Laws of 1929 and Section 487 of the Compiled Laws of 1913, Relating to the Regulation of the Practice of Pharmacy, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the Title of the engrossed bill, strike out the following language: "487 of the Compiled Laws of 1913" and insert in lieu thereof the following: "3 of Chapter 211, Session Laws of 1927."

In line 1, of Section 2, of the engrossed bill, after the word "Section," strike out the following: "487 of the Compiled Laws of 1913," and insert in lieu thereof the following: "2 of Chapter 211, Session Laws of 1927."

In line 7, of Section 2, of the engrossed bill, after the word "has" insert the word "had."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 183. A Bill for an Act Authorizing and Empowering the Governing Board of Any Political Sub-division to Compromise and Settle Obligations Other Than Taxes Due and Owing to or Held by Such Political Sub-divisions, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3, of the title of the printed bill after the comma after the word "sub-divisions," insert "Validating settlements heretofore made."

In line 9, of Section 1, of the printed bill after the word "full," strike out the period and add the following: "or concerning which claim, demand or obligation there exists a good faith and substantial controversy as to the validity thereof. Provided, however, that all settlements made under this Act must be approved by a judge of the District Court."

Add Section 2 as follows: "Any settlement of any claim, demand or obligation, heretofore made and consummated, in good faith, by the governing board of any political subdivision of this state is hereby declared to be valid and enforceable."

Re-number present Section 2 as Section 3.

And when so amended, recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 69. A Bill for an Act Providing the Manner of Holding and Fixing the Date for Annual School Elections; Also Providing How and When Reports of Clerk and Treasurer Shall Be Made and the Date When Annual Budget and Levy Shall Be Made.

Have had the same under consideration and recommend that the same be amended as follows:

Correct the Title to read as follows: A Bill for an Act to amend and re-enact Article IV, Sections 1151, 1155, 1158, and Article V, Sections 1160 and 1162 of the Compiled Laws of North Dakota, 1913, providing the manner of holding and fixing the date for annual school elections in common school districts; providing how and when reports of clerk and treasurer shall be made; also providing date when school officers shall qualify and when annual budget and levy shall be made.

In line 2, Section 1, of the printed bill following the word "The," strike out the word "second," and insert in lieu thereof the word "third."

In line 1, Section 3, of the printed bill following the words "on the," strike out the word "Third," and insert in lieu thereof the word "fourth."

And when so amended recommend the same do pass.

A. S. MARSHALL,
Chairman.

Senator Marshall moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Cities and Municipal Corporations made the following report:

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

Senate Bill No. 179. A Bill for an Act Entitled: "An Act to Amend and Re-enact Section 5 of the Session Laws of 1913, Relating to Cities Under Commission Form of Government, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. A. JONES,
Chairman.

Senator Jones moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Cities and Municipal Corporations made the following report:

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

Senate Bill No. 288. A Bill for an Act Validating and Legalizing the Incorporation of the Village of Watford City, McKenzie County, North Dakota, as the City of Watford City, McKenzie County, North Dakota.

Have had the same under consideration and recommend that the same do pass.

G. A. JONES,
Chairman.

Senator Jones moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections made the following report:

Mr. President: Your Committee on Elections to whom was referred:

Senate Bill No. 272. A Bill for an Act to Amend and Re-enact Section 3257 of the Compiled Laws of North Dakota of 1913; to Repeal Section 3258 of the Compiled Laws of North Dakota of 1913; Provide for the Election of Justices of the Peace and Constables in Each County Commissioner District; Abolish the Offices of County Justice of the Peace, County Constable, Township Justice of the Peace and Township Constable, and for Other Purposes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. E. ERICKSON,
Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections made the following report:

Mr. President: Your Committee on Elections to whom was referred:

HOUSE CONCURRENT RESOLUTION A-4

Providing for the amendment of Section 173 of Article 10 of the Constitution of North Dakota, as amended by Article 41 of the amendments thereof, and as amended by Chapter 84 of the 1933 Session Laws of the State of North Dakota, relating to county officers.

Have had the same under consideration and recommend that the same be amended as follows:

In line 8, Section 173, of the original Bill, strike out the word "fifteen" and insert in lieu thereof the word "twelve."

In line 10, after the word "court." insert the following: "Provided further, that in counties having a population of six thousand (6,000), or less, the register of deeds shall also be clerk of the district court and county judge, provided a majority of the legal electors of said county, voting upon the question at any general, primary, or special election, shall approve such consolidation of said offices."

And when so amended recommend the same be adopted.

O. E. ERICKSON,
Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections made the following report:

Mr. President: Your Committee on Elections to whom was referred:

Senate Bill No. 235. A Bill for an Act to Amend and Re-enact Sections 994, 997, 998 and 1001 of the 1913 Compiled Laws of the State of North Dakota, as Amended, Relating to Absent Voter Ballots; Repealing All Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

In line 11, of Section 998, of the original Bill, after the word "sealed," strike out the period and insert in lieu thereof a comma, and strike out the following words in line 12, "Said envelope."

In line 31, of Section 1001, strike out the word "two" and insert in lieu thereof the word "one," and also strike out the letter "s" in the word "elector."

And when so amended recommend the same do pass.

O. E. ERICKSON,
Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections made the following report:

Mr. President: Your Committee on Elections to whom was referred:

Senate Bill No. 180. A Bill for an Act to Amend and Re-enact Section 860 of the Compiled Laws of North Dakota of the Year 1913, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In line 7, of Section 860, of the original Bill, strike out the word "fifteen" and the figures "15,000," and insert in lieu thereof the word "twenty" and the figures "20,000."

And when so amended recommend the same do pass.

O. E. ERICKSON,
Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections made the following report:

Mr. President: Your Committee on Elections to whom was referred:

House Bill No. 148. A Bill for an Act to Amend and Re-enact Section 1009 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Abstract of Vote; Canvass of Vote; Certificate of Election; Tie How Decided; Publication of Abstract; and Providing for Compensation.

Have had the same under consideration and recommend that the same do pass.

O. E. ERICKSON,
Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections made the following report:

Mr. President: Your Committee on Elections to whom was referred:

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 134 of the 1927 Session Laws Relating to the Return and Disposition of Election Ballots and Compensation of Election Officers.

Have had the same under consideration and recommend that the same do pass.

O. E. ERICKSON,
Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections made the following report:

Mr. President: Your Committee on Elections to whom was referred:

SENATE CONCURRENT RESOLUTION "W"

Providing for the amendment of Section 25 of Article 2 of the Constitution of the State of North Dakota, relating to the legislative power of the State, and the initiative and referendum.

Have had the same under consideration and recommend that the same be adopted.

O. E. ERICKSON,
Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Livestock made the following report:

Mr. President: Your Committee on Livestock to whom was referred:

Senate Bill No. 43. A Bill for an Act Providing for the Registration and Labeling of Livestock Remedies; Making the Director of the State Regulatory Department Registrar Thereof, and Authorizing Him to Make Rules and Regulations for the Administration of This Act; Prescribing the Method of Revocation of Such Registration and Prescribing a Penalty for the Violation Thereof.

Have had the same under consideration and recommend that the same be amended as follows:

On page 1 of the printed Bill, strike out everything after the words, "A Bill" and insert in lieu thereof the following:

"For an Act to prevent fraud and deception in the sale of Livestock Remedies; providing for the registration and labeling of Livestock Remedies; Authorizing Rules and Regulations for the administration of this Act; prescribing the Method of Revocation of Such Registration and Prescribing a Penalty for the Violation Thereof.

Be it Enacted by the Legislative Assembly of the State of North Dakota:

Section 1. This Act shall be known as the North Dakota Livestock Remedy Act.

Section 2. The terms "Livestock Remedy" as used in this Act shall include all devices, remedies, cures, tonics, powders, proprietary medicines, medicated stock foods, and similar preparations for the treatment or prevention of any disease of livestock, poultry, or other domestic animals and administered internally for their stimulating, invigorating, curative, or other than nutritive powers; and also shall include those powders, sprays, dips and other preparations for external use in the curing of scab or the eradication of ticks, lice and other mites and parasites on livestock, poultry or other domestic animals; but excluding all medicines manufactured, sold or recommended primarily for human use.

Section 3. No person by himself, his servant or agent shall sell, offer or expose for sale or have in his possession with intent to sell any livestock remedy:

A. Which is sold under a name, brand, trade mark or labeling which is misleading, deceptive or false, or which is dangerous to animals under the conditions of use prescribed in the labeling or advertising thereof.

B. Which purports to cure infectious abortion, hog cholera, fowl cholera, tuberculosis, foot and mouth disease, roup, white diarrhea or any other disease of domestic animals for which no genuine cure is known;

C. Which has not been registered by the State Food Commissioner and Chemist for sale in this state;

D. Which does not have printed or written upon the label of each package as sold at retail, in type not less than one-fourth the largest type on the package;

(1) The common name in English of all ingredients and the quantity or proportion of each active ingredient;

(2) The percentage of each diluent filler, or inert ingredient;

(3) A statement of the quantity or proportion of any alcohol, morphine, opium, cocaine, heroin, alpha or beta eunaine, chloroform, cannabis indica, chloral hydrate, or acetanilid or any derivative or preparation of any such substances contained therein;

(4) The net contents, by weight or measure, of such package;

(5) The name and principal address of the manufacturer or person responsible for placing such livestock remedy on the market;

(6) Complete and explicit directions for use;

E. Of which the contents of the package as originally put up have been removed, in whole or in part, and other contents shall have been placed in such package.

Section 4. (1) The State Regulatory Department upon the application of the manufacturer or distributor and the payment of the registration fee prescribed in Section 6, shall register any livestock remedy which does not violate any of the provisions of Section 3 of this Act. Such registrations shall be good for one year unless sooner cancelled or a change is made in the ingredients or formula of manufacture or in the name, brand or trade mark under which such livestock remedy is sold. In the event of any such change it shall be necessary to again register such remedy, in the same manner as upon original application.

(2) The State Regulatory Department may cancel the registration of any livestock remedy which subsequent to such registration is sold in violation of any of the provisions of Section 3 of this Act, and whenever a change is made in the ingredients or formula of manufacture or in the name, brand or trade mark under which such remedy is sold, unless such remedy has been re-registered as provided in sub-section (1) of this section.

(3) In the discharge of his duties, the State Food Commissioner and Chemist may make rules and regulations governing applications for registration, the submission of samples for analysis and all other matters necessary to give effect to this section, but no such rule or regulation shall impose any requirement for registration other than as provided by section (3) hereof. He may take expert and other testimony whenever he deems such testimony advisable and shall grant public hearing upon request therefor, to any manufacturer or distributor whose request for registration of any livestock remedy has been denied and also prior to the cancellation of any registration.

Section 5. (1) The State Food Commissioner and Chemist shall enforce the provisions of Section 1 to 8, by inspections, chemical analysis and other appropriate methods. All samples for analysis shall be taken from stocks in the state, or intended for sale in the state, and the commissioner may call upon the manufacturer or distributor applying for registration of a remedy to supply samples thereof for analysis.

(2) The Director of the Regulatory Department and his authorized deputies and inspectors shall have free access by legal means during business hours to all places of business, buildings, vehicles, cars and vessels used in the manufacture, transportation, sale or storage of any livestock remedy and shall have power and authority to open by legal means any box, carton, parcel or package, containing or supposed to contain, any livestock remedy and take therefrom samples for analysis.

Section 6. A registration fee of six dollars shall be paid prior to each annual registration to the State Food Commissioner and Chemist for each livestock remedy registered.

Section 7. Any person who shall sell, offer or expose for sale or have in his possession with intent to sell any livestock remedy in violation of any of the provisions of Section

3, or who shall willfully and falsely represent that any livestock remedy is registered for sale in this state when in fact it is not so registered, shall be fined not to exceed two hundred dollars for the first offense; and upon conviction for any subsequent offense shall be fined not to exceed three hundred dollars, or be imprisoned in the county jail for not to exceed one year, or be punished by both such fine and imprisonment.

Section 8. If any provisions of Sections 1 to 7 are declared unconstitutional or the applicability thereof to any person, commodity or transaction is held invalid, the validity of the remainder of these sections and the applicability of such provisions to other persons, commodities and transactions shall not be affected thereby.

Section 9. All revenues derived under authority of this Act shall be used for the enforcement of the provisions thereof. All fees received by the Regulatory Department as provided for in this Act shall be properly recorded and forwarded to the Treasurer of the State of North Dakota. The State Treasurer shall upon receipt thereof enter such funds and carry them in the special revolving fund known and designated as the State Regulatory Fund, out of which all bills and expenses of whatever nature incurred in the enforcement of this Act, when properly audited and approved, shall by said Treasurer be paid.

Section 10. The provisions of paragraph (D) of Section 3 relating to the labeling of livestock remedies shall take effect January 1, 1936. All other provisions of this Act shall take effect July 1, 1935."

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.

Senator Coffey moved that Senate Bill No. 221 be re-referred to the Committee on Cities and Municipal Corporations.

Which motion prevailed.

Senator Brostuen moved that Senate Bill No. 304 be re-referred to the Committee on Taxes and Tax Laws.

Which motion prevailed.

Senator Erickson moved that the vote to reconsider and lay on the table the vote to adopt the report of the Standing Committee to indefinitely postpone Senate Bill No. 153, be reconsidered.

Senator Erickson requested that a rising vote be taken on his motion.

Senator Cain arose to a point of order: "In order to de-

termine whether or not there is a two-thirds vote, there would have to be a roll call."

A Roll Call was granted.

ROLL CALL

The question being on the motion of Senator Erickson, the roll was called and there were ayes, 24; nays, 23; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	McDonald
Braaten	Johnson	Miklethun
Brostuen	Kamrath	Owings
Erickson	Kolpin	Peterson
Ettestad	Kroeber	Stucke
Fine	Lemke	Thorson
Greene, Cavalier	Marshall	Vinje
Greene, Stutsman	Matthaei	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Strehlow
Coffey	Jones	Topp
Crandall	Lind	Trout
Drew	Lowe	Trovatten
Dubay	Lynn	Watt
Eastgate	McGillic	Whelan
Fowler	Mutchler	Young
Fredrickson	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.
Nelson, Grand Fks.	Thatcher

So the motion was lost.

Senator Strehlow asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Strehlow moved that all absent Senators be excused.

Which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 3. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Salary and, also, the Expenses of District Judges While Holding Court Outside the County in Which the Judges Reside and While Serving on the Supreme Court Bench.

Also,

Senate Bill No. 20. 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. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment of the School for the Deaf at Devils Lake, North Dakota.

Also,

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 162 of the 1933 Session Laws, Providing for Taxation of Motor Vehicles Using the Highways of the State of North Dakota for Commercial Purposes, and Engaged in Transportation for Hire in Interstate Commerce.

Also,

Senate Bill No. 95. A Bill for an Act to Amend and Re-enact Section 7643, Supplement to the Compiled Laws of 1913, Relating to Directed Verdicts, and Declaring an Emergency.

Also,

Senate Bill No. 154. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 19 of Chapter 179 of the Session Laws of 1927, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also:

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 3084a2, 3084a3, 3084a7 and 3084a9, Supplement to the Compiled Laws of 1913, Providing for the Appointment of the State Coal Mine Inspector by the Workmen's Compensation Bureau, Defining Eligibility to That Office, Providing for Assistance and Instruments to Be Furnished to the Inspector and for Payment Therefor and Providing for the Filling of Temporary Vacancies in the Office, and Declaring an Emergency.

Also,

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 162 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION T

Also,

House Bill No. 131. A Bill for an Act to Amend and Re-

enact Section 1, Chapter 159, Session Laws for 1931, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, Defining Imitation Ice Cream.

Also,

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 975 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Publication of Nominations for Office and Fixing Duty of County Auditor With Reference Thereto and Providing for the Number of Publications Thereof.

Also,

House Bill No. 96. A Bill for an Act to Make It Lawful to Make Devises, Bequests, Legacies and Gifts to Any State Educational, Charitable, or Penal Institution; Providing that Title Thereto Shall Be Held by the State in Trust, and Regulating the Use of Such Property and Its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made, and Declaring an Emergency.

Also,

House Bill No. 8. A Bill For an Act to Amend and Re-enact Sections 2 and 8 of Chapter 95, Session Laws of 1929: "An Act to Regulate the Practice of Chiropody, to Create a State Board of Chiropody, to Provide for the Examination and Licensing of Chiropodists and Providing Penalties for the Violation Thereof."

Also,

HOUSE CONCURRENT RESOLUTION A-6

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 20, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 3. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Salary and, also, the Expenses of District Judges While Holding Court Outside the County in Which the Judges Reside and While Serving on the Supreme Court Bench.

Also,

Senate Bill No. 20. 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. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment of the School for the Deaf at Devils Lake, North Dakota.

Also,

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 162 of the 1933 Session Laws, Providing for Taxation of Motor Vehicles Using the Highways of the State of North Dakota for Commercial Purposes, and Engaged in Transportation for Hire in Interstate Commerce.

Also,

Senate Bill No. 95. A Bill for an Act to Amend and Re-enact Section 7643, Supplement to the Compiled Laws of 1913, Relating to Directed Verdicts, and Declaring an Emergency.

Also,

Senate Bill No. 154. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 19 of Chapter 179 of the Session Laws of 1927, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 3084a2, 3084a3, 3084a7 and 3084a9, Supplement to the Compiled Laws of 1913, Providing for the Appointment of the State Coal Mine Inspector by the Workmen's Compensation Bureau, Defining Eligibility to That Office, Providing for Assistance and Instruments to Be Furnished to the Inspector and for Payment Therefor and Providing for the Filling of Temporary Vacancies in the Office, and Declaring an Emergency.

Also,

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 162 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

SENATE CONCURRENT RESOLUTION T

Which the President has signed and your signature is respectfully requested.

Also return:

House Bill No. 131. A Bill for an Act to Amend and Re-enact Section 1, Chapter 159, Session Laws for 1931, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, Defining Imitation Ice Cream.

Also,

House Bill No. 123. A Bill for an Act to Amend and Re-

enact Section 975 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Publication of Nominations for Office and Fixing Duty of County Auditor With Reference Thereto and Providing for the Number of Publications Thereof.

Also,

House Bill No. 96. A Bill for an Act to Make It Lawful to Make Devises, Bequests, Legacies and Gifts to Any State Educational, Charitable, or Penal Institution; Providing that Title Thereto Shall Be Held by the State in Trust, and Regulating the Use of Such Property and Its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made, and Declaring an Emergency.

Also,

House Bill No. 8. A Bill for an Act to Amend and Re-enact Sections 2 and 8 of Chapter 95, Session Laws of 1929: "An Act to Regulate the Practice of Chiropody, to Create a State Board of Chiropody, to Provide for the Examination and Licensing of Chiropodists and Providing Penalties for the Violation Thereof."

Also,

HOUSE CONCURRENT RESOLUTION A-6

Which the President has signed.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Brostuen asked consent to withdraw Senate Bills Nos. 288 and 291.

Which request was granted.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee have had House Bill No. 80 under consideration and recommend that the House concur in the Amendments as made by the Senate.

FRANKLIN PAGE,
VAL. P. WOLF,
A. F. BONZER, Jr.,
HARRY C. LYNN,
A. W. FOWLER.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 20, 1935.

Mr. President: I have the honor to inform you that the

House has adopted the report of the Conference Committee on House Bill No. 80.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

SENATE CONCURRENT RESOLUTION "A-e"

Introduced by Senators Mutchler, Stucke and Whelan.

WHEREAS, the economic distress of North Dakota and South Dakota is in a large measure due to the long continued drought, and

WHEREAS, the receding ground water tables and the disappearance of surface waters present a most serious problem to the people of our state, and

WHEREAS, the Missouri River frequently carries an enormous amount of flood waters, dangerous and destructive to property and life to the lower Missouri and Mississippi basins, and

WHEREAS, the impounding of the flood waters would be of material benefit in restoring ground water tables and furnishing surface waters to North Dakota and would materially aid in preventing the recurrent floods in the lower Mississippi basin, and

WHEREAS, competent engineers have made a study of the problem of constructing a Missouri River dam and diverting the waters, for the benefit of North Dakota and South Dakota, showing that such a dam and diversion project are feasible, and

WHEREAS, the construction of such a dam and the diversion of such waters properly comes under federal jurisdiction, and

WHEREAS, the construction of the Missouri River dam, and the diversion project in connection therewith, would furnish employment for several thousand people now on federal relief through no fault of their own,

NOW THEREFORE, BE IT RESOLVED, by the Senate of the State of North Dakota, the House concurring therein, that we petition the United States Congress now assembled, and the President of the United States, the Honorable Franklin D. Roosevelt, to construct a dam on the Missouri River at Big Bend, between Manhaven and Garrison, for the purpose of impounding the waters of the Missouri, and diverting the same in accordance with the report and recommendations of Burns & McDonnell, Consulting Engineers, and

BE IT FURTHER RESOLVED That the Secretary of the State of North Dakota be and is hereby instructed to forward an authenticated copy of this Resolution to the President of the United States, the Honorable Franklin D.

Roosevelt, to the President of the United States Senate, to the Speaker of the House of Representatives at Washington, D. C., to the United States Senators, and the two Representatives from North Dakota in Congress.

Senator Whelan moved that the rules be suspended and Senate Concurrent Resolution "A-e" be adopted.

Which motion prevailed and the Resolution was adopted.

SENATE JOINT RESOLUTION "F"

Introduced by Senators Brostuen, Fowler and Whelan

Memorializing Congress to grant consent to taxation by the several states of certain interstate sales.

WHEREAS, Necessity for property tax relief is imperative in North Dakota as well as in other states throughout the Union; and

WHEREAS, Twenty-six states in an effort to afford property tax relief and to provide revenue for essential functions of government have enacted laws imposing taxes based upon or measured by sales of tangible personal property purchased and delivered in such states; and,

WHEREAS, No less than 65 percent of the population of the United States now resides in states with such laws; and,

WHEREAS, By virtue of judicial interpretation of the Federal Constitution, the states may not levy without the consent of Congress taxes based upon or measured by sales moving in interstate commerce; and

WHEREAS, As a result of such an interpretation there is a discrimination in favor of interstate sales as against intrastate sales; and,

WHEREAS, Such discrimination if permitted to continue will tend to divert business from normal channels in North Dakota and elsewhere throughout the Union, thus subjecting local merchants to unfair competition; and,

WHEREAS, It is of vital importance to the welfare of the people of the United States that all things be done to promote the stability of local business in order that the financial structure of North Dakota and other states throughout the Union may be preserved; and

WHEREAS, It rests within the power of Congress to permit the States to levy non-discriminatory taxes upon sales in interstate commerce; and

WHEREAS, There is pending in Congress Senate File No. 3897 introduced by Honorable Pat Harrison, Senator from Mississippi, a bill to enable the states to tax such interstate shipments of goods; and

WHEREAS, Said measure was passed by the Senate on March 15, 1934, but was not voted upon by the House of Representatives and hence did not become law; and

WHEREAS, Need for such legislation is imperative in order to correct grave injustice in North Dakota and in all other states throughout the Union where taxes are based upon or measured by sales of tangible personal property; now, therefore, be it

RESOLVED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA, That the Congress of the United States be, and it is hereby memorialized to give relief to the State of North Dakota and all other states imposing taxes based upon or measured by sales of tangible personal property by immediately providing for the regulation of interstate commerce through granting consent to taxation by the several states of certain interstate sales as provided by the measure (S.2897) introduced by Senator Harrison during the second session of the Seventy-third Congress; and be it further

RESOLVED, That copies of this resolution be sent to the presiding officers of the legislative bodies of all other states of the United States, with the request that they transmit similar memorials to Congress, and that copies of this resolution be transmitted to the President of the United States, to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, to each of the members from North Dakota of the Senate and the House of Representatives of the United States, and to the Honorable Pat Harrison, United States Senator from Mississippi, author of the measure which would afford the states relief in this important matter.

Senator Fowler moved that the rules be suspended and Senate Joint Resolution "F" be adopted.

Which motion prevailed and the Resolution was adopted.

Senator Fowler moved that the Senate recess for five minutes.

Which motion prevailed.

The Senate re-convened pursuant to recess taken, President pro tem. Marshall presiding.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 20, 1935.

Mr. President: I have the honor to return:

Senate Bill No. 91. A Bill for an Act Requiring Issuance of Receipt for Road Tax Paid Interstate Carriers, and Requiring Posting of Receipts.

Which the House has amended.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Peterson moved that Senate Bill No. 91 be returned to the House for correction.

Which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 20, 1935.

Mr. Speaker: I have the honor to return herewith Senate Bill No. 91 for reason that the Senate requests the House to correct the House amendments to the Bill.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 20, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

SENATE CONCURRENT RESOLUTION NO. "A-e"

Also,

SENATE JOINT RESOLUTION "F"

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 26, 27, 31, 32, 33 and 35 of Chapter 164, of the Session Laws for 1933, Relating to Regulations of Motor Vehicle Transportation.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 40; nays, 0; absent and voting, 9.

Those voting in the affirmative were:

Messrs.
Braaten
Brostuen
Cain
Coffey

Messrs.
Handley
Johnson
Kamrath
Kolpin

Messrs.
Owings
Peterson
Strehlow
Stucke

Messrs.	Messrs.	Messrs.
Crandall	Kroeber	Thatcher
Drew	Lind	Thorson
Dubay	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Vinje
Fine	McDonald	Watt
Fowler	Miklethun	Whelan
Greene, Cavalier	Mutchler	Wog
Greene, Stutsman	Nelson, Barnes	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	McGillic
Eastgate	Lemke	Nelson, Grand Fks.
Fredrickson	Matthaei	Trovatten

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Thorson moved that Senate Bill No. 94 be amended as follows:

In line 1, of the title after the word "Examination," insert the following words: "and Qualifications."

Which motion prevailed.

Senator Fowler moved that Senate Bill No. 94 be amended as follows:

In lines 1 and 2, Section 1, page 1 of the printed bill, strike out the following language: "for any common or contract motor carrier, its officers or agents, or."

Which motion prevailed.

Senator Thorson moved that the rules be suspended and that Senate Bill No. 94, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 94. A Bill for an Act to Provide for Physical Examination of Persons Engaged in Driving Motor Propelled Vehicles Used for the Transportation of School Children, and to Provide Mechanical Inspection and Requirements of Such Vehicles, Also Providing for the Enforcement of the Provisions of This Act, and Punishment for Violation Thereof.

Was read the second time.

ROLL CALL

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.
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fowler	McDonald	Vinje
Fredrickson	McGillic	Watt
Greene, Cavalier	Miklethun	Whelan
Greene, Stutsman	Mutchler	Wog
Gronvold	Nelson, Barnes	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Erickson	Matthaei
Cain	Lemke	Nelson, Grand Fks.

So the bill passed and the title was agreed to.

Senate Bill No. 147. A Bill for an Act Creating a State Board to Be Known as "State Council of Public Safety," Purpose, Appointment of Members, Term of Office, Duties of Council and How Financed.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 37; nays, 6; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lind	Thorson
Dubay	Lynn	Topp
Ettestad	Marshall	Trout
Fine	McDonald	Vinje
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Eastgate	Lowe	Trovatten
Handley	Strehlow	Watt

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fowler	Matthaei
Erickson	Lemke	Nelson, Grand Fks.

So the bill passed and the title was agreed to.

SENATE RESOLUTION "F"

Was read the second time.

ROLL CALL

The question being on the adoption of the 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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman		

Those voting in the negative were:

Messrs.
Watt

Absent and not voting:

Messrs.	Messrs.
Lemke	Nelson, Grand Fks.

So the resolution was adopted.

Senator Johnson moved that Senate Bill No. 198 be amended as follows:

"In line 7, Section 2, page 2 after the word "week" insert the following language: "except in case of emergency."

Which motion prevailed.

Senator Johnson moved that the rules be suspended and that Senate Bill No. 198, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 198. A Bill for an Act Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lind	Thorson
Dubay	Lowe	Topp
Eastgate	Lynn	Trout
Erickson	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young

Those voting in the negative were:

Messrs.
Gronvold

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ettestad	Lemke	Nelson, Grand Fks.

So the bill passed and the title was agreed to. The emergency clause was declared carried.

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 309, Session Laws of 1931, Relating to Veterans' Guardianship, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Owings

Brostuen	Johnson	Peterson
Cain	Jones	Strehlow
Coffey	Kamrath	Stucke
Crandall	Kolpin	Thatcher
Drew	Kroeber	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Ettestad	Lynn	Trovatten
Erickson	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman	Mutchler	

Absent and not voting:

Messrs.	Messrs.
Lemke	Nelson, Grand Fks.

So the bill passed and the title was agreed to, and the emergency clause declared carried.

SENATE CONCURRENT RESOLUTION "Z"

Was read the second time.

ROLL CALL

The question being on the adoption 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lind	Thorson
Dubay	Lowe	Topp
Eastgate	Lynn	Trout
Erickson	Marshall	Trovatten
Ettestad	Matthaei	Vinje
Fine	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fowler	Lemke	Nelson, Grand Fks.

So the resolution was adopted.

Senate Bill No. 277. A Bill for an Act Authorizing the Board of Administration to Construct, Either Independently

of or Jointly With the City of Grafton, a Sewage Disposal Plant for the Grafton State School and Making an Appropriation Therefor.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Owings
Brostuen	Johnson	Peterson
Cain	Jones	Strehlow
Coffey	Kamrath	Stucke
Crandall	Kolpin	Thatcher
Drew	Kroeber	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillie	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman	Mutchler	

Absent and not voting:

Messrs.	Messrs.
Lemke	Nelson, Grand Fks.

So the bill passed and the title was agreed to.

SENATE CONCURRENT RESOLUTION "A-c"

Was read the second time.

ROLL CALL

The question being on the final adoption of the 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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Owings
Brostuen	Johnson	Peterson
Cain	Jones	Strehlow
Coffey	Kamrath	Stucke
Crandall	Kolpin	Thatcher
Drew	Kroeber	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten

Messrs.	Messrs.	Messrs.
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman	Mutchler	

Absent and not voting:

Messrs.	Messrs.
Lemke	Nelson, Grand Fks.

So the resolution was adopted.

Senate Bill No. 220. A Bill for an Act to Suspend the Operating of Chapter 24 of the Political Code of the State of North Dakota for the Year 1913, Being Sections 1889 to 1902 Both Inclusive of Said Compiled Laws, Relating to the Enumeration of Inhabitants in the State of North Dakota; Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, 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.
Bonzer	Greene, Cavalier	McGillic
Braaten	Gronvold	Mutchler
Brostuen	Handley	Stucke
Cain	Kamrath	Thorson
Coffey	Kolpin	Trovatten
Crandall	Kroeber	Vinje
Drew	Lind	Watt
Dubay	Lowe	Whelan
Eastgate	Lynn	Wog
Erickson	Marshall	Young
Fowler	McDonald	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Ettestad	Matthaei	Strehlow
Fine	Miklethun	Thatcher
Greene, Stutsman	Nelson, Barnes	Topp
Johnson	Owings	Trout
Jones	Peterson	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fredrickson	Lemke	Nelson, Grand Fks.

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Ettestad: "Being that it is mandatory by the Constitution that this census must be taken, therefore, I vote no."

Senator Johnson: "According to my interpretation of Section 35 of the Constitution, this would be unconstitutional and therefore I vote No."

Senator Johnson moved that Senate Bill No. 177 be amended as follows:

In Section 1, page 1, line 7, of the printed bill, strike out the word "will," and insert in lieu thereof the word "shall."

Which motion prevailed.

Senator Johnson moved that the rules be suspended and that Senate Bill No. 177, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Subdivision (c) of Section 25 of Chapter 186, Session Laws of 1931, as Amended by Chapter 160 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Greene, Stutsman	Owings
Braaten	Handley	Peterson
Brostuen	Jones	Stucke
Cain	Kamrath	Thatcher
Coffey	Kolpin	Thorson
Crandall	Kroeber	Topp
Drew	Lowe	Trout
Dubay	Lynn	Trovatten
Eastgate	Marshall	Vinje
Erickson	McDonald	Whelan
Ettestad	McGillic	Wog
Fowler	Mutchler	Young
Fredrickson		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fine	Lind	Nelson, Barnes
Greene, Cavalier	Matthaei	Strehlow
Gronvold	Miklethun	Watt
Johnson		

Absent and not voting:

Messrs.	Messrs.
Lemke	Nelson, Grand Fks.

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 172. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Owings
Brostuen	Johnson	Strehlow
Cain	Jones	Peterson
Coffey	Kamrath	Stucke
Crandall	Kolpin	Thatcher
Drew	Kroeber	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman	Mutchler	

Absent and not voting:

Messrs.	Messrs.
Lemke	Nelson, Grand Fks.

So the bill passed and the title was agreed to.

Senate Bill No. 169. A Bill for an Act Authorizing the Board of Administration to Establish and Operate a Public Restaurant and Lunch Room in the State Capitol, Defining Its Powers and Duties in Relation Thereto, and Prohibiting Any Person, Firm or Corporation From Operating Any Restaurant or Lunch Room in the State Capitol After July 1, 1935.

Was read the second time.

ROLL CALL

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.
Bonzer	Greene, Stutsman	Mutchler
Braaten	Gronvold	Nelson, Barnes
Brostuen	Handley	Owings
Cain	Johnson	Peterson
Coffey	Jones	Strehlow
Crandall	Kamrath	Stucke
Drew	Kolpin	Thatcher
Dubay	Kroeber	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trovatten
Ettestad	Lynn	Vinje
Fine	Matthaei	Watt
Fowler	McGillic	Wog
Fredrickson	Miklethun	Young
Greene, Cavalier		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Marshall	McDonald	Whelan

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lemke	Nelson, Grand Fks.	Trout

So the bill passed and the title was agreed to.

Senator Watt moved that the vote by which Senate Bill No. 169 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Stucke: "I am happy to see this new trend in this august body of the Senate of North Dakota. This is the first time, I believe, Mr. President, that the gentleman of the opposition, my worthy friend, Senator Watt, has proposed a socialistic measure. I am happy, I say, to support this. I vote aye."

Senator Watt: "Probably I had better explain my vote. I am following in the footsteps of another man from Cass county who nearly thirty years ago was instrumental in establishing the twine plant down here at the Penitentiary. That is my answer to the gentleman from McLean."

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Cliff Meyer, C. G. Emery, Willow City; C. S. Summers, Walter Gainor, Bowbells; John Wishek, Wishek; Mr. and

Mrs. O. M. Lofgren, Starkweather; N. T. Findall, Medora; C. E. Geesaman, Belfield; F. Paul Smith, Amenia; Edwin Langemo, Clifford Thoreson, Fingal; C. W. Carey, Lidgerwood; E. D. Lum, I. E. Lillegard, Wahpeton; Edward J. Sauer, Aug. Arndt, Foxholm; Edith Carpenter, Mrs. Chas. H. Black, Foxholm; N. H. Lerfald, Hatton; C. J. Bjorngaard, Joseph Lerfald and Oscar Lerfald, Buxton; W. H. Francis, L. F. Rice, T. A. Crawford, Velva; Hugh Black, Vernen; Mrs. W. A. Schnacker, Mr. and Mrs. D. Livingston, Granville; Harry Tenberg, Carl Craven, Nels Kunkel, Fred Sommars, Ed A. Johnson and J. B. McWethy, of Carrington; H. J. Seigle, Lehr; Mr. and Mrs. Anton Gross, Napoleon.

Senator Erickson moved that the Senate recess until 1:00 P. M. tomorrow.

Which motion prevailed.

The Senate stood recessed.

F. E. TUNELL,
Secretary.

FORTY-FOURTH DAY AFTER RECESS AND THE
FORTY-FIFTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 21, 1935.

The Senate convened at 1:00 P. M., pursuant to recess, President pro tem. Marshall presiding.

The President announced that the ruling on the emergency clause on Senate Bill No. 220 which was passed February 20, 1935, should be corrected to read "and the emergency clause was declared carried."

Senator Miklethun moved that Senate Bill No. 255 be placed at the foot of the calendar.

Which motion prevailed.

Senator Whelan asked unanimous consent to have Senate Concurrent Resolution "U" come up as a special order of business at 2:15 o'clock, today.

Which request was granted.

SECOND READING OF SENATE BILLS

Senate Bill No. 75. A Bill for an Act to Provide for Liens in Favor of Hospitals and Other Charitable Institutions Furnishing Care, Treatment and Maintenance of Persons Injured in Accidents, not Subject to the Provisions of the Workmen's Compensation Act of North Dakota, for the Reasonable Value of the Service so Rendered, Upon the Rights of Action, Claims or Demands of Such Injured Persons, or Judgment Recovered Thereon, Against Other Persons, or Corporations, liable in Tort for Damages, on Account of Negligence Causing the Injuries, and Upon the Proceeds of the Settlements of Any Such Claims or Demands; and Upon and Against the Insurers of Such Tort Feasor or Tort Feasors; and Upon Insurance Held by the Injured Person, and Providing for Constructive Notice Upon Such Insurers, Tort Feasors and their Insurers, if any, by a Filing of a Lien Statement with the Clerk of the District Court of the County in Which Such Services Are Rendered.

Was read the second time.

ROLL CALL

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.
Bonzer	Johnson	Owings
Braaten	Kamrath	Peterson
Cain	Kolpin	Strehlow
Coffey	Kroeber	Stucke
Crandall	Lemke	Thatcher
Drew	Lind	Thorson
Dubay	Lowe	Topp
Eastgate	Lynn	Troust
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brostuen	Fowler	Nelson, Barnes
Erickson	Jones	Nelson, Grand Fks.

So the bill passed and the title was agreed to.

Senator Whelan moved that Senate Concurrent Resolution "U" be placed at the head of the calendar.

Which motion prevailed.

Senator Whelan moved that Senate Concurrent Resolution "U" be amended as follows:

"Strike out the period at the end of the printed resolution and add the following language: "and further urge that the sale and delivery of seed for the year 1935 be made immediately so as to make seed available at once."

Which motion prevailed.

Senator Whelan moved that the rules be suspended and that Senate Concurrent Resolution "U," as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SENATE CONCURRENT RESOLUTION "U"

Was read the second time.

ROLL CALL

The question being on the 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:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Owings
Braaten	Handley	Peterson
Brostuen	Johnson	Strehlow
Cain	Kamrath	Stucke
Coffey	Kolpin	Thatcher
Crandall	Kroeber	Thorson
Drew	Lemke	Topp
Dubay	Lind	Trout
Eastgate	Lowe	Trovatten
Ettestad	Lynn	Vinje
Fine	Marshall	Wahl
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Matthaei	Nelson, Grand Fks.
Jones	Nelson, Barnes	

So the Resolution was adopted.

Senator Fowler asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Fowler moved that the vote by which Senate Bill No. 198 was passed be reconsidered.

Which motion prevailed.

Senator Fowler moved that Senate Bill No. 198 be referred to the Committee on State Affairs.

Which motion prevailed.

Senator Cain moved that Senate Bill No. 23 be amended as follows:

In Section 11, line 4, after the word "board," insert the word "instrumentality," and change the following word "or," to read "on."

Which motion prevailed.

Senator Cain moved that the rules be suspended and that Senate Bill No. 23, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 23. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to

Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession during the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Owings
Brostuen	Johnson	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Nelson, Barnes	Nelson, Grand Fks.
Jones		

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Whelan moved that the vote by which Senate Bill No. 23 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 7731, Supplement to the Compiled Laws of 1913, Relating to Exemptions of Personal Property from Attachment, Levy and Sale on Execution, and Defining "Head of Family" as Defined by Section 5626 of the Com-

piled Laws of 1913, and Exemptions of a Single Person, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Owings
Braaten	Johnson	Peterson
Brostuen	Kamrath	Strehlow
Cain	Kolpin	Stucke
Coffey	Kroeber	Thatcher
Crandall	Lemke	Thorson
Drew	Lind	Topp
Dubay	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Those voting in the negative were:

Messrs.
Eastgate

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Nelson, Barnes	Nelson, Grand Fks.
Jones		

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith and Making the Same an Emergency Measure.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Handley	Owings
Braaten	Johnson	Peterson
Brostuen	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Jones	Nelson, Grand Fks.
Fowler	Nelson, Barnes	

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 241. A Bill for an Act to Provide for the Conditional Examination of Witnesses Held to Appear Before a Grand Jury or Court When Such Witnesses Are Unable to Give the Security Required by the Court.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Owings
Brostuen	Johnson	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thorson
Drew	Lemke	Topp
Dubay	Lind	Trout
Eastgate	Lowe	Trovatten
Erickson	Lynn	Vinje
Ettestad	Marshall	Watt
Fine	Matthaei	Whelan
Fredrickson	McDonald	Wog
Greene, Cavalier	McGillic	Young
Greene, Stutsman	Miklethun	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fowler	Nelson, Barnes	Thatcher
Jones	Nelson, Grand Fks.	

So the bill passed and the title was agreed to.

Senator Cain moved that Senate Bill No. 242 be amended as follows:

In the engrossed bill, strike out the word "par" in Section 1, and re-insert the word "market."

Which motion prevailed.

Senator Cain moved that the rules be suspended and that Senate Bill No. 242, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 242. A Bill for an Act to Amend and Re-enact Section 11119, Compiled Laws of 1913, and to Permit the Deposit of Money or Bonds as Bail in Criminal Cases.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Handley	Owings
Braaten	Johnson	Peterson
Brostuen	Kamrath	Strehlow
Cain	Kolpin	Stucke
Coffey	Kroeber	Thatcher
Crandall	Lemke	Thorson
Drew	Lind	Topp
Dubay	Lowe	Trout
Eastgate	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Jones	Nelson, Grand Fks.
Fine	Nelson, Barnes	

So the bill passed and the title was agreed to.

Senator Drew moved that the Senate do now adjourn.
Which motion prevailed.

FORTY-FIFTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 21, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. N. E. McCoy.

Roll call: All Senators were present except Senators Nelson of Barnes and Nelson of Grand Forks.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 21, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 26, 27, 31, 32 and 33 of Chapter 164, of the Session Laws for 1933, Relating to Regulation of Motor Vehicle Transportation, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 94. A Bill for an Act to Provide for Physical Examination of Persons Engaged in Driving Motor Propelled Vehicles Used for the Transportation of School Children, and to Provide Mechanical Inspection and Requirements of Such Vehicles, Also Providing for the Enforcement of the Provisions of This Act, and Punishment for Violation Thereof.

Also,

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 309, Session Laws of 1931, Relating to Veterans' Guardianship, and Declaring an Emergency.

Also,

Senate Bill No. 277. A Bill for an Act Authorizing the Board of Administration to Construct, Either Independently of or Jointly With the City of Grafton, a Sewage Disposal Plant for the Grafton State School and Making an Appropriation Therefor.

Also,

Senate Bill No. 177. A Bill for an Act to Amend and Re-

enact Subdivision (c) of Section 25 of Chapter 186, Session Laws of 1931, as Amended by Chapter 160 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles and Declaring an Emergency.

Also,

Senate Bill No. 172. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Also,

Senate Bill No. 169. A Bill for an Act Authorizing the Board of Administration to Establish and Operate a Public Restaurant and Lunch Room in the State Capitol, Defining Its Powers and Duties in Relation Thereto, and Prohibiting Any Person, Firm or Corporation From Operating Any Restaurant or Lunch Room in the State Capitol After July 1, 1935.

Also,

Senate Bill No. 147. A Bill for an Act Creating a State Board to Be Known as "State Council of Public Safety," Purpose, Appointment of Members, Term of Office, Duties of Council and How Financed.

Also,

Senate Bill No. 220. A Bill for an Act to Suspend the Operating of Chapter 24 of the Political Code of the State of North Dakota for the Year 1913, Being Sections 1889 to 1902 Both Inclusive of Said Compiled Laws, Relating to the Enumeration of Inhabitants in the State of North Dakota; Declaring an Emergency.

Also,

Senate Bill No. 75. A Bill for an Act to Provide for Liens in Favor of Hospitals and Other Charitable Institutions Furnishing Care, Treatment and Maintenance of Persons Injured in Accidents, not Subject to the Provisions of the Workmen's Compensation Act of North Dakota, for the Reasonable Value of the Service so Rendered, Upon the Rights of Action, Claims or Demands of Such Injured Persons, or Judgment Recovered Thereon, Against Other Persons, or Corporations, liable in Tort for Damages, on Account of Negligence Causing the Injuries, and Upon the Proceeds of the Settlements of Any Such Claims or Demands; and Upon and Against the Insurers of Such Tort Feasor or Tort Feasors; and Upon Insurance Held by the Injured Person, and Providing for Constructive Notice Upon Such Insurers, Tort Feasors and their Insurers, if any, by a Filing of a Lien Statement with the Clerk of the District Court of the County in Which Such Services Are Rendered.

Also,

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 7731, Supplement to the Compiled Laws of 1913, Relating to Exemptions of Personal Property from Attachment, Levy and Sale on Execution, and Defining "Head of Family" as Defined by Section 5626 of the Compiled Laws of 1913, and Exemptions of a Single Person, and Declaring an Emergency.

Also,

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith and Making the Same an Emergency Measure.

Also,

Senate Bill No. 241. A Bill for an Act to Provide for the Conditional Examination of Witnesses Held to Appear Before a Grand Jury or Court When Such Witnesses Are Unable to Give the Security Required by the Court.

Which the Senate has passed and your favorable consideration is respectfully requested.

Also,

SENATE CONCURRENT RESOLUTION "Z"

Also,

SENATE CONCURRENT RESOLUTION "A-c"

Also,

SENATE CONCURRENT RESOLUTION "U"

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,

Secretary.

MESSAGES FROM THE HOUSE

House Chamber,
Bismarck, North Dakota,
February 21, 1935.

Mr. President: I have the honor to return herewith the following bills:

SENATE CONCURRENT RESOLUTION A-e.

Also,

Senate Bill No. 113. A Bill for an Act Amending and Re-

enacting Section 1 of Chapter 267 of the 1933 Session Laws Relating to the Duty of the County Treasurer to Receive County Warrants in Payment of Certain Taxes, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Also,

Senate Bill No. 129. A Bill for an Act Providing for the Exemption of the Homestead as Defined by Law from Forced Sale for Payment of Debts, with Certain Exceptions and Prohibiting the Mortgaging or Incumbering of the Homestead, with Certain Exceptions.

Which the House has indefinitely postponed.

Also return:

SENATE CONCURRENT RESOLUTION M

Also,

SENATE JOINT RESOLUTION F

Which the House has adopted unchanged.

Also return:

Senate Bill No. 97. A Bill for an Act Relating to Refunding Special Improvement Warrants, Repealing Chapter 195 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 178 of the Session Laws of North Dakota for 1929 and All Other Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 125. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Several Counties to Remove from the Tax Rolls and Declare as Exempt from Taxation All Inundated Land Upon Which the Owner Thereof Has Granted or Shall Hereafter Grant to the United States of America, Its Instrumentalities or Agencies, a Permanent Easement for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Such Inundated Lands Shall Remain Exempt Until Such Time as the Water and/or Wildlife Conservation Projects Shall Have Been Abandoned, Providing That Such Power to Remove from the Tax Rolls or Declare as Exempt Shall Not Attach Until Such Time as the Construction of the Water and/or Wildlife Conservation Projects Shall Have Been Completed, and Declaring an Emergency.

Also,

Senate Bill No. 126. A Bill for an Act Declaring All Water and/or Wildlife Conservation Projects, Including Wildlife Reservations, to Be a Public Purpose, Providing That All Lands Within the Ordinary High-water Mark of Navigable Lakes Shall Be Under the Control of the State, Under Its Police Power, for the Purpose of Constructing,

Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Authority and Control Over Such Lands Shall Be Vested in the State Engineer, Defining the Term "Ordinary High-water Mark," Providing That All Meandered Lakes Shall Be Declared to Be Navigable Within the Meaning of This Act, Providing a Saving Clause, Repealing All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Which the House has passed unchanged.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 21, 1935.

Mr. President: I have the honor to transmit herewith the following:

HOUSE CONCURRENT RESOLUTION A-13

Also,

HOUSE CONCURRENT RESOLUTION A-18

Which the House has adopted and your favorable consideration is respectfully requested.

Also,

House Bill No. 183. A Bill for an Act to Repeal Sections 924, 925, 926, and 927 of the Compiled Laws for the Year 1913, as Section 927 is Amended by Chapter 213 of the Session Laws of 1923, and as Found in Section 927a1 and 927a2, Relating to Publicity Pamphlet and the Publication and Distribution Thereof.

Also,

House Bill No. 253. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 199 Session Laws of 1933 Relating to the Disposition of Fees and Payment of Expenses of the North Dakota Regulatory Department.

Also,

House Bill No. 204. A Bill for an Act to Repeal Section 10185b of the Supplement to the 1913 Compiled Laws of North Dakota Relating to Prohibiting Smoking in Specified Places, and the Penalties.

Also,

House Bill No. 231. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 128 of the Session Laws of the State of North Dakota for the Year 1925, Being Section

3163A4 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to Dance Permits.

Also,

House Bill No. 241. A Bill for an Act to Amend and Re-enact Section 852 of the Compiled Laws of North Dakota for 1913, as Amended by Section 1, Chapter 150 of the Session Laws of 1915; Providing for a Primary Election to Be Held on the Last Tuesday in June in Years in Which General Elections Occur; Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 262. A Bill for an Act to Amend and Re-enact Section 3596 of the Compiled Laws of 1913, Relating to Procedure in Passing Ordinances in Cities Under the Mayor Council Form of Government.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 21, 1935.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 256. A Bill for an Act Authorizing the County Commissioners to Purchase and Condemn Right of Ways.

Also,

House Bill No. 179. A Bill for an Act to Amend and Re-enact Section 235 of the 1933 Session Laws Prescribing and Limiting the Time to Which Text Books May Be Changed in the Schools and Educational Institutions in This State.

Also,

House Bill No. 221. A Bill for an Act Granting Easements to the United States for Rights of Way Over Lands Owned by the State of North Dakota for Ditches, Dams, Dikes, Fills, Spillways, or Other Structures Now Constructed or to Be Constructed by the United States of America, Its Instrumentalities or Agencies, for the Purpose of Water and/or Wildlife Conservation.

Also,

House Bill No. 212. A Bill for an Act Appropriating Six Thousand Dollars (\$6,000.00) to the State Historical Society for the Purchase of the Site of Old Fort Abraham Lincoln in Morton County, North Dakota.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 21, 1935.

Mr. President: I have the honor to return herewith the following bills:

SENATE CONCURRENT RESOLUTION "T"

Also,

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 162 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 3084a2, 3084a3, 3084a7 and 3084a9, Supplement to the Compiled Laws of 1913, Providing for the Appointment of the State Coal Mine Inspector by the Workmen's Compensation Bureau, Defining Eligibility to That Office, Providing for Assistance and Instruments to Be Furnished to the Inspector and for Payment Thereof and Providing for the Filling of Temporary Vacancies in the Office, and Declaring an Emergency.

Also,

Senate Bill No. 154. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 19, of Chapter 179 of the Session Laws of 1927, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

Senate Bill No. 95. A Bill for an Act to Amend and Re-enact Section 7643, Supplement to the Compiled Laws of 1913, Relating to Directed Verdicts, and Declaring an Emergency.

Also,

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 162 of the 1933 Session Laws, Providing for Taxation of Motor Vehicles Using the Highways of the State of North Dakota for Commercial Purposes, and Engaged in Transportation for Hire in Interstate Commerce.

Also,

Senate Bill No. 21. A Bill for an Act Making an Appro-

riation for the General Maintenance, Improvements and Repairs and Equipment of the School for the Deaf at Devils Lake, North Dakota.

Also,

Senate Bill No. 20. 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. 3. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Salary and; also, the Expenses of District Judges While Holding Court Outside the County in Which the Judges Reside and While Serving on the Supreme Court Bench.

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 21, 1935.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 80. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 199 of Session Laws of 1933, Transferring Certain Duties From the Regulatory Department of the State of North Dakota, to the Office of the State Dairy Commissioner, and Providing for the Payment of Expenses Incident to the Carrying Out of Such Duties, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-third day after recess and the forty-fourth day and recommend that the same be corrected as follows:

On page 42, strike out all of line "31," and insert in lieu thereof the following "Senate Joint Resolution "F."

On page 53, in the roll call on Senate Bill No. 169, show "Wog" voting in the affirmative.

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

Senator Owings moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A petition presented by Senator Lowe, signed John Keith of Farmers Union Local No. 1029 in support of the Live-stock Weighing and Grading Bill.

Referred to the Committee on Agriculture.

A petition presented at the desk carrying seventeen hundred seventy-two signers names in support of House Bills Nos. 97 and 98.

Referred to the Committee on Insurance.

A petition presented by Senator Fredrickson, signed N. N. Brakke in support of the Missouri River Diversion Project.

Referred to the Committee on State Affairs.

A petition presented by Senator McDonald signed Ira E. Herzberg and seventy-five others opposed to hard liquor.

A petition presented by Senator Watt, signed J. B. Benson, and fifty-five others, in opposition to hard liquor.

Referred to Committee on Temperance.

A resolution presented by Senator Gronvold signed Mrs. Nan Bucklin and 116 others regarding school legislation.

A petition presented by Senator Fine signed A. T. Felland of Farmers Union Local No. 100, regarding correspondence courses for high school subjects, the Unicameral Bill, and a measure to legalize the mixing of ten per cent alcohol in gasoline.

A petition presented by Senator Greene of Stutsman, signed Mrs. Jos. Fowle of the Franklin Parent Teachers Association regarding school legislation.

A resolution presented by Senator Brostuen, signed G. W. Hanna, Superintendent of the Public School of Valley City, regarding school legislation.

A petition presented by Senator Brostuen, signed, Mary Link and thirteen others regarding school legislation.

A petition presented by Senator Eastgate, signed, W. W. Poole and fifteen others, regarding school legislation.

A resolution presented at the desk, signed, Ole Benson and thirty-one others, regarding school legislation.

Referred to the Committee on Education.

A petition presented by Senator Fredrickson, signed, Mrs. S. T. Nelson and sixty others in favor of keeping the Mayville State Teachers' College open.

Two petitions presented by Senator Eastgate, and Senator Young; in support of keeping the State Teachers' College at Mayville open.

A petition presented by Senator Watt, signed, Emma Sommerfeld and eighty-seven others in opposition to closing the Mayville State Teachers' College.

A petition presented by Senator Brostuen, signed, H. M. Graves, of the Zap Colliery Company in support of Senate Bill No. 187.

A petition presented by Senator Watt, signed, Maurine Clingman and seven others in opposition to closing the Mayville State Teachers' College.

A petition presented by Senator Coffey, signed, Martha Legg and forty-one others, protesting the closing of the Mayville State Teachers' College.

A petition presented by Senator Kolpin, signed, Ann Moe and nineteen others in favor of the Mayville State Teachers' College.

Referred to the Committee on Taxes and Tax Laws.

Resolutions were presented by Senator Vinje from the Clifford Civic Club, Federated Women's Club of Mayville, also petitions from Traill County citizens, asking for reasonable appropriations for the Mayville Teachers' College.

Referred to the Committee on Appropriations.

OFFICE OF STATE EXAMINER

State of North Dakota

Bismarck

February 20, 1935

To the Twenty-fourth Legislative Assembly,
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 to you copies of the following reports made by this Department:

Bank of North Dakota—Dated 1-11-33

Bank of North Dakota—Dated 8-31-33

Bank of North Dakota—Dated 4-30-34

Bank of North Dakota—Dated 10-31-34

I would respectfully request that when these reports have served their purpose that they be returned to this office for our files.

Please acknowledge receipt.

Very truly yours,

ADAM A. LEFOR,
State Examiner.

Referred to the Committee on Banks and Banking.

REPORT OF STANDING COMMITTEES

The Committee on Warehouse and Grain Grading made the following report:

Mr. President: Your Committee on Warehouse and Grain Grading to whom was referred:

Senate Bill No. 250. A Bill for an Act to Exempt Grain Warehousemen from Suit for Conversion of Grain Bought, Unless the Instrument Creating Said Interests of Liens Is on File or of Record, or Written Notice of the Existence Thereof Is Given to the Warehousemen.

Have had the same under consideration and recommend that the same do pass.

E. E. GREENE,
Chairman.

Senator Greene of Stutsman moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Warehouse and Grain Grading made the following report:

Mr. President: Your Committee on Warehouse and Grain Grading to whom was referred:

Senate Bill No. 130. A Bill for an Act to Amend and Re-enact Section 18 of Chapter 227, Laws of 1931, Providing for the Regulation of Storage and Delivery Charges of Public Warehousemen and Providing for the Form of Receipt to Be Issued by Such Warehousemen.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. E. GREENE,
Chairman.

Senator Greene of Stutsman moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Warehouse and Grain Grading made the following report:

Mr. President: Your Committee on Warehouse and Grain Grading to whom was referred:

Senate Bill No. 251. A Bill for an Act to Suspend the Operation of Chapter 311 of the Laws of 1931 as Applied to Public Warehouses, for a Period of Two Years, and Providing the Inspection May Be Made by Qualified Inspectors.

Have had the same under consideration and recommend that the same be indefinitely postponed.

E. E. GREENE,
Chairman.

Senator Greene of Stutsman moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 227. A Bill for an Act to Amend and Re-enact Chapter 7429 of the 1913 Compiled Laws of the State of North Dakota, Relating to Service of Summons by Publication.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of the title of the printed bill, after the word "Re-enact" strike out the word "Chapter" and insert in lieu thereof the word "Section."

In line 1 of the title after the figures "7429" strike out the words and figures "of the 1913" and insert a comma.

In line 2 of the title, after the word "Laws" strike out the words "of the State."

In line 2 of the title, after the words "North Dakota" insert the words "for the Year 1913."

In line 1 of Section 1 after the figure "1" insert the word "AMENDMENT.)" and in the same line strike out the words and figures "of the 1913" and insert a comma.

In line 2 of Section 1 strike out the words "the State of," and in the same line, after the words "North Dakota" insert the words "for the Year 1913;" further in line 2 of Section 1 strike out the language "relating to Service of Summons by Publication."

In line 4 of Section 1, directly before the word "Number" insert the words and figures "Section 7429."

In line 5 of Section 1 (Section 7429) strike out the word and figures "Section 7429."

In line 6 of Section 1 (Section 7429) strike out the word "twice" and insert in lieu thereof the words "four times" and in the same line strike out the word "two" and insert in lieu thereof the word "four."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain 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. 228. A Bill for an Act to Provide for the Number of Jurors Required in All Civil Actions in All Courts of Record in the State of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. P. CAIN,
Chairman.

Senator Cain 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. 229. A Bill for an Act Relating to Foreclosure of Mortgage or Other Lien Upon Real Estate Providing for Service of Summons in Actions to Foreclose Mortgage or Other Lien Upon Real Estate; Providing for Personal Service or Service by Publication; Specifying Manner in Which Unknown Defendants and Representatives of Deceased Defendants May Be Joined; Providing That Said Method Shall Be in Addition to Present Remedies.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the title of the printed bill, after the word "Estate," insert a semi-colon.

In line 2 of Section 3, page 3, after the word "for," strike out the word "two" and insert in lieu thereof the word "four."

In line 3, Section 8, page 5, after the word "the," strike out the figures "1931" and insert in lieu thereof the figures "1913."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain 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. 230. A Bill for an Act to Amend and Re-enact Section 7745 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Notice to Be Given Upon Sale of Real Property Under Execution; Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of the title of the printed bill, strike out the figures "1913" and in line 2 after the words "Laws of," strike out the words "the State of" and further in the same line after the words "North Dakota" insert the words "for the Year 1913."

In line 1 of Section 1, strike out the figures "1913."

In line 2 of Section 1, strike out the words "of the State," and in the same line, after the words "North Dakota" insert the words "for the Year 1913."

In line 12 of Section 1, page 2, strike out the word "two" and insert in lieu thereof the word "three."

In line 13 of Section 1, page 2, strike out the word "twenty" and insert in lieu thereof the word "ten."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain 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. 247. A Bill for an Act Providing for the Disposition of Liquor and for the Applying of the Proceeds Thereof to the General Fund of the County Where Such Liquor was Seized or Is Held.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the title of the printed bill, strike out the period and insert a comma and the following words "and Declaring an Emergency."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

A Majority of the Committee on Insurance made the following report:

Mr. President: A Majority of your Committee on Insurance to whom was referred:

Senate Bill No. 106. A Bill for an Act to Repeal Chapter 184 of the Laws of North Dakota for 1931, Relating to Relieving the Owner, Driver, or Person Responsible for the Operation of a Motor Vehicle Upon the Public Highways from Civil Liability for the Accidental Death of or Injury to a Guest Riding in Such Vehicle.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GEORGE V. COFFEY,
R. A. OWINGS,
J. P. CAIN,
J. E. EASTGATE,
J. S. MCGILLIC,
L. O. FREDERICKSON.

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. 106. A Bill for an Act to Repeal Chapter 184 of the Laws of North Dakota for 1931, Relating to Relieving the Owner, Driver, or Person Responsible for the Operation of a Motor Vehicle Upon the Public Highways from Civil Liability for the Accidental Death of or Injury to a Guest Riding in Such Vehicle.

Have had the same under consideration and recommend that the same do pass.

C. W. FINE,
A. F. BONZER, Jr.,
GUST WOG,
W. E. MATTHAEI, Chairman.

Senator Cain moved that the Majority report be adopted.

Senator Matthaei moved as a substitute motion that the word "Minority," be substituted for the word "Majority."

Which motion was lost.

The question being on the adoption of the Majority report, the motion prevailed and the Majority report which indefinitely postponed Senate Bill No. 106 was adopted.

Senator Cain moved that the vote by which the Majority report of the Committee on Senate Bill No. 106 was adopted, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

**SENATE COMMITTEE ON ENROLLMENT
AND ENGROSSMENT**

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 2. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerk-hire, Travel and General Expenses of the Office of the Governor, and Declaring an Emergency.

Also,

Senate Bill No. 8. 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 of 1913.

Also,

Senate Bill No. 65. A Bill for an Act Making an Appropriation to Provide for the Payment to the City of Bismarek, North Dakota, Its Actual Expenses Incurred for the Use of the Municipal Auditorium and World War Memorial Building by the 1933 Legislative Assembly for Labor, Steamheat, Light and Power, Water, Janitors and Washroom Supplies, and Repairs and Miscellaneous Items.

Also,

Senate Bill No. 71. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit for Maintenance of the Capitol from February 1, 1935, to June 30, 1935, in the Office of the Board of Administration, and Declaring an Emergency.

Also,

Senate Bill No. 76. A Bill for an Act to Prevent the Importation and Sale of Infected Fruit; Providing for the Seizure of Infected Fruit, and Defining Penalties.

Also,

Senate Bill No. 80. A Bill for an Act to Amend and Re-enact Section 2178 of the Compiled Laws of 1913 Relating to Fees of Sheriff or His Deputy for Making Distress and Sale of Goods and Chattels for the Payment of Taxes, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 102. A Bill for an Act to Amend and Re-enact Section 1866A4 and Repeal Section 1866A6, Supplement to the Compiled Laws of 1913, Relating to the Northwest Agricultural Livestock and Fair Association, and Declaring an Emergency.

Also,

Senate Bill No. 103. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Maintenance of the Office of State Treasurer for the Remainder of the Fiscal Year Ending June 30, 1935, and Declaring an Emergency.

Also,

Senate Bill No. 169. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-third Session of the Legislative Assembly of the State of North Dakota.

Were delivered to the Governor for his approval at the hour of 3:45 o'clock P. M., February 20, 1935.

T. E. WHELAN,
Chairman.

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. 57. A Bill for an Act to Amend and Re-enact Chapter 185 of Session Laws of 1929 and Section 3 of Chapter 211, Session Laws of 1927, Relating to the Regulation of the Practice of Pharmacy, and Declaring an Emergency.

Also,

Senate Bill No. 94. A Bill for an Act to Provide for Physical Examination and Qualifications of Persons Engaged in Driving Motor Propelled Vehicles Used for the Transportation of School Children, and to Provide Mechanical Inspection and Requirements of Such Vehicles, Also Providing for the Enforcement of the Provisions of This Act, and Punishment for Violation Thereof.

Also,

Senate Bill No. 198. A Bill for an Act Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

And find the same correctly re-engrossed.

Also,

Senate Bill No. 43. A Bill for an Act to Prevent Fraud and Deception in the Sale of Live Stock Remedies; Providing for the Registration and Labeling of Live Stock Remedies; Authorizing Rules and Regulations for the Administration

of This Act; Prescribing the Method of Revocation of Such Registration and Prescribing a Penalty for the Violation Thereof.

Also,

Senate Bill No. 69. A Bill for an Act to Amend and Re-enact Article IV, Sections 1151, 1155, 1158, and Article V, Sections 1160 and 1162 of the Compiled Laws of North Dakota, 1913, Providing the Manner of Holding and Fixing the Date for Annual School Elections in Common School Districts; Providing How and When Reports of Clerk and Treasurer Shall Be Made; Also Providing Date When School Officers Shall Qualify and When Annual Budget and Levy Shall Be Made.

Also,

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Subdivision (c) of Section 25 of Chapter 186, Session Laws of 1931, as Amended by Chapter 160 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles and Declaring an Emergency.

Also,

Senate Bill No. 180. A Bill for an Act to Amend and Re-enact Section 860 of the Compiled Laws of North Dakota of the Year 1913, and Declaring an Emergency.

Also,

Senate Bill No. 183. A Bill for an Act Authorizing and Empowering the Governing Board of Any Political Subdivision to Compromise and Settle Obligations Other Than Taxes Due and Owning to or Held by Such Political Subdivisions, Validating Settlements Heretofore Made, and Declaring an Emergency.

Also,

Senate Bill No. 218. A Bill for an Act Providing That the State and the Several Counties of the State Are Authorized to Acquire by Purchase, Exchange, Gift, Condemnation or Otherwise the Title to Any Land Within the Same Political Subdivision for the Purpose of Establishing Any Public Park or Recreational Area, or for the Purpose of Constructing, Maintaining and Operating Any Water and/or Wildlife Conservation Project; Providing That All Lands to Be Purchased or Exchanged Under Authority of This Act Shall Be Appraised by the Existing Appraisal Agencies of the Parties to the Contract; Providing That Where No Such Appraisal Agency Exists the County Board of Commissioners Shall Determine the Value Thereof, and Providing That No Land Shall Be Purchased for More Than the Appraised Value, nor Shall Any Lands Owned by the State or the Several Counties Be Exchanged Except for Lands of an Equal Appraised Value; Providing That the State of North Dakota

Shall Reserve All Mineral Rights to All State Lands Transferred Under Authority of This Act; Providing a Saving Clause; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 226. A Bill for an Act to Amend and Re-enact Sections 8320a13, 8320a14, 8320a19, 8320a20 and 8320a22 of the Supplement to the Compiled Laws of 1913, Relating to Flood Irrigation Projects, and Declaring an Emergency.

Also,

Senate Bill No. 235. A Bill for an Act to Amend and Re-enact Sections 994, 997, 998 and 1001 of the 1913 Compiled Laws of the State of North Dakota, as Amended, Relating to Absent Voter Ballots; Repealing All Acts in Conflict Herewith.

Also,

Senate Bill No. 249. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend the Present Sewerage System of the State Penitentiary to Connect With the City of Bismarck System of Sewerage, Providing for the Use of Prison Labor, or to Make Provision for its Construction by Governmental Agency; Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 261. A Bill for an Act Transferring a Sum of Fifty Thousand Dollars from the General Fund to the "Returned Soldiers Fund" Heretofore Transferred from the Returned Soldiers Fund to the General Fund Under the Provisions of Chapter 82 of the Session Laws of 1931, and Declaring an Emergency.

Also,

Senate Bill No. 266. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Re-touch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation, and Declaring an Emergency.

Also,

Senate Bill No. 220. A Bill for an Act to Suspend the Operating of Chapter 24 of the Political Code of the State of North Dakota for the Year 1913, Being Sections 1889 to 1902 Both Inclusive of Said Compiled Laws, Relating to the Enumeration of Inhabitants in the State of North Dakota, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION NO. U

A Concurrent Resolution Urging the Passage of Legislation by Congress or the Issuance of Such Executive Orders as May be Necessary to Obtain for Our Farmers the Seed Required to Plant Crops for 1935, etc.

And find the same correctly engrossed.

Also,

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1291, Compiled Laws of 1913, Concerning Elections in Independent School Districts, Placing Control Thereof in the Hands of the Board of Education, and Providing for Special Elections in Such Districts, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

CONCURRENT RESOLUTION No. R

A Concurrent Resolution Petitioning the Congress of the United States to Enact a Law Qualifying the Bank of North Dakota to participate in the facilities of the United States Treasury for the Issuing of Currency in the Name of the Bank of North Dakota, etc.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Erickson moved that Senate Bill No. 269 be referred to the Committee on State Affairs.

Which motion prevailed.

Senator Cain moved that action on the committee report on Senate Bill No. 240 be deferred.

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. 199. A Bill for an Act Relating to the Business of Selling Fresh Meats at Retail to Consumers, Creating a Board of Meat Cutters' Examiners of the State of North Dakota; to Provide for Registration of Meat Cutters and Apprentices; to Provide for Said Board of Examining Applicants for Registration; and to Provide for Said Board Adopting Rules and Regulations Relating to Sanitary Conditions in Said Business.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 253. A Bill for an Act to Amend and Re-enact Sections 3176a1, 3176a2, 3176a3, 3176a4, 3176a5, and 3176a6 of the 1925 Supplement to the Compiled Laws of the State of North Dakota, Relating to Designation of State, County and Municipal Official Newspapers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 21, 1935.

Mr. President: I have the honor to inform you that the House requests the return of House Bill No. 256.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 225. A Bill for an Act to Provide for the Incorporation of Cooperative Grazing Associations to Aid in the Conservation, Restoration, Improvement, Development and Utilization of Forage Resources in the State of North Dakota; to Authorize Such Associations to Lease County, State, Federal, or Other Lands for Such Purposes, and to Create Grazing Districts, and to Provide for the Management and Use of Such Lands Which Will Best Conserve, Restore, Improve and Develop the Forage Value Thereof.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2, of the printed bill, Section 3, line 2, strike out the word "district," and insert in lieu thereof the words "grazing area."

On page 4, of the printed bill, Section 4, subsection (i), line 35, strike out the word "which."

On page 4, of the printed bill, Section 4, subsection (i), line 36, following the word "each," insert the word "Congressional."

On page 5, of the printed bill, Section 6, subsection (e), line 15, following the word "each," insert the word "Congressional."

On page 7, of the printed bill, Section 8, line 2, following the word "boundaries," insert the following: "or residing on the border of the area within or without the county and have heretofore been dependent upon the land within the area."

On page 8, of the printed bill, Section 8, line 14, following the first word "of," strike out the word "a," and insert in lieu thereof the words "all or."

On page 11, of the printed bill, Section 10, subsection (o), line 60, strike out the word "three," and insert in lieu thereof the word "five."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Brostuen moved that the Committee Report on Senate Bill No. 225 be amended as follows:

In line 11, page 9 of the printed bill following the word "by" strike out the balance of the sentence and insert the words "such member."

Which motion prevailed.

Senator Brostuen moved that the Committee report as amended on Senate Bill No. 225 be adopted.

Which motion prevailed and the report was adopted.

A Majority of the Committee on State Affairs made the following report:

Mr. President: A Majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 240. A Bill for an Act to Forbid the Compulsory Enrollment of Students in Courses in Military Training and Tactics in State Supported Schools.

Have had the same under consideration and recommend that the same do pass.

GUST WOG,
W. S. HANDLEY,
E. C. STUCKE,
OLE ETTESTAD,
JOHN L. MIKLETHUN,
ALEX LIND,
HARRY PETERSON,
W. E. MATTHAEI,
E. E. GREENE,
O. E. ERICKSON.

A Minority of the Committee on State Affairs made the following report:

Mr. President: A Minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 240. A Bill for an Act to Forbid the Compulsory Enrollment of Students in Courses in Military Training and Tactics in State Supported Schools.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. WHELAN,
WM. WATT,
J. P. CAIN,
A. W. FOWLER.
A. F. BONZER, Jr., Chairman.

Senator Bonzer moved that the Minority report be adopted.

Senator Fine moved as a substitute motion that the word "Majority" be substituted for the word "Minority."

Which motion prevailed, and Senate Bill No. 240 was recommended for passage.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 274. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 162, Session Laws of North Dakota for the Year 1919, and Acts Amendatory Thereof, Which Said Section Relates to the Disbursing of Compensation From the Workmen's Compensation Fund, and the Conditions Under Which Such Disbursement Shall Be Made, and Providing for Payment During the Lifetime of Any Person Permanently Injured Sixty Percent, or More.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bönzer moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 21, 1935.

Mr. Speaker: I have the honor to return herewith House Bill No. 256 which the House has requested.

Very respectfully,

F. E. TUNELL,
Secretary.

A Minority of the Committee on State Affairs made the following report:

Mr. President: A Minority of the Committee on State Affairs to whom was referred:

Senate Bill No. 142. A Bill for an Act Defining Naturopathy and Authorizing the Practice of the Same in the State of North Dakota, Providing for Qualifications of Practitioners and the Filing of Certain Records.

Have had the same under consideration and recommend that the same do pass.

GUST WOG,
W. S. HANDLEY,
OLE ETTESTAD,
JOHN L. MIKLETHUN,
ALEX LIND,
E. E. GREENE,
O. E. ERICKSON.

A Majority the Committee on State Affairs made the following report:

Mr. President: A Majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 142. A Bill for an Act Defining Naturopathy and Authorizing the Practice of the Same in the State of North Dakota, Providing for Qualifications of Practitioners and the Filing of Certain Records.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. WHELAN,
WM. WATT,
A. A. TROVATTEN,
E. C. STUCKE,
J. P. CAIN,
A. W. FOWLER,
W. E. MATTHAEI.
A. F. BONZER, Jr., Chairman.

Senator Bonzer moved that the report of the Majority be adopted.

Senator Erickson moved as a substitute motion that the word "Minority," be substituted for the word "Majority."

Senator Erickson demanded a roll call.

A roll call was granted.

Senator Matthaei demanded a call of the Senate.

Roll Call: All Senators were present except Senators Johnson, Jones, Nelson of Barnes and Nelson of Grand Forks.

The President instructed the Sergeant-at-arms to bring the absent Senators to the Senate Chamber.

Senator Fowler moved that the call of the Senate be suspended.

Which motion prevailed.

Senator Fowler moved that further consideration of the Committee report on Senate Bill No. 142 be deferred until Monday.

Which motion prevailed.

Senator Fowler moved that action on any divided report be deferred until Monday.

Which motion prevailed.

Senator Watt moved that the Senate recess for ten minutes.

Which motion prevailed.

The Senate re-convened pursuant to recess taken, President pro tem. Marshall presiding.

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. 237. A Bill for an Act to Regulate the Practice of Professional Engineering and Land Survey.

Have had the same under consideration and recommend that the same be amended as follows:

On page 1 of printed bill, amend title of bill to read as follows:

"For an act to regulate the practice of professional engineering and land survey, and repealing all Acts and parts of Acts in conflict herewith."

On page 2 of printed bill, Section 2, line 10, following the word "state," add the following sentence: "The words public work or public improvement shall not apply to any public buildings which shall exceed in cost the sum of \$3,000.00."

On page 12 of printed bill, Section 14, line 9, following the word "Act," add the following: "Co-partnership. In the case of a co-partnership of engineers or land surveyors, each member must be registered."

On page 13 of the printed bill, Section 17, line 3, after the word "repealed," add the following: "This law shall not nullify any part of Chapter 58, Session Laws of 1917, as amended by Chapter 130, Session Laws of 1913, and Chapter 195, Session Laws of 1929."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 238. A Bill for an Act Providing for Procedure for Issuance by a Municipality in Certain Cases of Funding Bonds to Retire Outstanding Bonds or Obligations Which Exceed the Debt Limit of That Municipality on Date of Issuance of Such Funding Bonds; Imposing Certain Duties on County Treasurers in Connection Therewith; Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 295. A Bill for an Act to Permit Boards of County Commissioners to Set Aside and Transfer for Park and Recreational Purposes Lands Acquired by the County Through Tax Deeds, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer 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. 239. A Bill for an Act Authorizing Any Board or Officer Having the Control or Management of Any Real Estate Belonging to or Controlled by the State of North Dakota or Any of Its Political Subdivisions to Enter Into Agreements with the United States of America for the Improvement of Said Real Estate by the Establishment and Maintenance of Shelterbelts of Trees and Other Plants and Necessary Protective Structures and Works Thereon, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 236. A Bill for an Act to Regulate Ownership and Operation of Pharmacies, Requiring the Registration and Inspection and Prescribing Penalties.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 281. A Bill for an Act Relating to the Incorporation of Mutual Aid Non-Profit Corporations, and Defining Their Purposes and Powers and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 280. A Bill for an Act to Provide for the Establishment of County Debt Adjustment Boards, Prescribing the Duties and Powers of Such Boards and the Duties of the Judges and the Clerks of the District Courts as Regards Such Boards.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 276. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 177, Laws of North Dakota for 1927 as Amended by Chapter 182, Laws of North Dakota for 1931, Relating to the Coloring of Gasoline by the Use of a Harmless Dye.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 148 of the Session Laws of 1931, as Amended by Chapter 120 of the Session Laws of 1933, Relating to the Disposition of Money Collected by the Game and Fish Commissioner, and Providing for the Creation of a Game Conservation Fund, and Defining the Use of Such Fund.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Dubay moved that the Committee report on Senate Bill No. 308 be deferred until the bill is printed.

Which motion prevailed.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 256. A Bill for an Act to Make an Appropriation from the North Dakota Twine and Cordage Plant Fund for the Purchase of Additional Land for the State Penitentiary.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.'

The Committee on Women's and Children's Welfare made the following report:

Mr. President: Your Committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 283. A Bill for an Act to Amend and Re-enact Section 9606a1 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Declaring it Unlawful to Place Certain Children in Almshouses or Other Institutions Without the Consent of the Board of Administration, With Certain Exceptions, Prohibiting Placing of Certain Children in the State Training School, and Repealing All Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same do pass.

G. F. DREW,
Chairman.

Senator Drew moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Women's and Children's Welfare made the following report:

Mr. President: Your Committee on Women's and Children's Welfare to whom was referred:

Senate Bill No. 279. A Bill for an Act Amending and Re-enacting Section 4440a1 and 4446 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to Custody and Assignment of Children Prohibited in Cer-

tain Cases, Requiring Consent in Writing for Adoption of Child, Prohibiting Transfer of Guardianship Without Notice to the Board of Administration, Petition for Adoption, Notice to Board of Administration, Report of Board, Petition When Granted, and Repealing All Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same do pass.

G. F. DREW,
Chairman.

Senator Drew moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

Mr. President: Your Committee on Banks and Banking to whom was referred:

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931, Relating to Capital Stock of Banks.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2, page 2, of the printed Bill, after the word "examiner" strike out the following: "may, in his discretion," and insert in lieu thereof the word "Shall."

And when so amended recommend the same do pass.

C. W. FINE,
Chairman.

Senator Fine moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 200. A Bill for an Act Creating and Establishing a State Employment Service in Cooperation With the Federal Government Under the Provisions of the Wagner-Peyser Act. Providing Payment of Salaries and Expenses and Making an Appropriation.

Have had the same under consideration and recommend that the same be indefinitely postponed.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Erickson moved that the committee report on Senate Bill No. 306 be deferred until the bill is printed.

Which motion prevailed.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 297. A Bill for an Act Providing for the Cancellation of Record of Certain Chattel Mortgages and Certain Written Agreements Relating to Personal Property, by the Register of Deeds, for Cancelling Certain Bills of Sale, Requiring Assignments of Chattel Mortgages to Be Filed Before the Filing of Affidavit of Renewal or Satisfaction, and Repealing All Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of Section 2, of the printed bill, after the word "instrument," strike out the semi-colon and insert in lieu thereof a period. In the same Section, strike out lines 4, 5, and 6, being the remainder of Section 2.

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 72. A Bill Providing for the Investment of Trust Funds of Executors, Administrators and Guardians and Procedure Required.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill strike out everything after the words "A Bill" and add the following:

For an Act Providing for the Investment of Trust Funds of Executors, Administrators and Guardians and Procedure Required; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

Section 1. No executor, administrator or guardian shall invest trust funds unless authorized to do so by an order made and entered in the County Court of the County in which such executor, administrator or guardian was ap-

pointed; except that investments may be made, with liability, in bonds of the State of North Dakota and /or of the United States of America.

Section 2. No order shall be made authorizing investment of trust funds by an executor, administrator, or guardian until a hearing be had upon petition therefor, and all heirs, devisees, legatees, and the Veterans Administration Facilities, Fargo, North Dakota, in case of beneficiaries thereof, and next of kin in guardianship proceedings, (other than petitioner), shall have had ten days notice of such hearing by registered mail addressed to such respondents at their last addresses shown of record in said court. And in event of the address of any respondent not appearing of record in such court and being unknown to the petitioner, the court may, on proper showing made, dispense with such notice by order made and entered therein.

Section 3. REPEAL.) All Acts or Parts of Acts in conflict herewith are hereby repealed.

Section 4. EMERGENCY.) Whereas an emergency exists, therefore this Act shall be effective from an after its passage and approval.

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 126. A Bill for an Act to Amend and Re-enact Section 7730 of the Compiled Laws of North Dakota for 1913, Defining Absolute Exemptions.

Have had the same under consideration and recommend that the same do pass.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 124. A Bill for an Act to Amend and Re-enact Section 9023 of the 1913 Compiled Laws of the State of North Dakota Relating to the Time for Defendant's Appearance in Justice Court.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Erickson moved that action be deferred on all Committee reports on Bills not yet printed.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 21, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the conference committee on Senate Bill No. 112.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 112 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 112. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Stenographers, and Clerkhire, Express and Freight, Postage, Telegrams and Telephones, Office Supplies, Printing, Traveling Expenses, and Miscellaneous Expenses of the State Geological Survey, and Declaring an Emergency.

Have had the same under consideration and recommend: That the House recede from House amendments to Senate Bill No. 112.

For the Senate:

WM. A. THATCHER,
E. C. STUCKE,
WM. WATT.

For the House:

E. A. CHILD,
H. J. MORRIS,
F. D. HURD.

Senator Thatcher moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Erickson reported that arrangements have been completed for a Joint Memorial program and the Senate will meet with the House at 2:30 o'clock tomorrow.

Senator Dubay moved that all absent Senators be excused.

Which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1291, Compiled Laws of 1913, Concerning Elections in Independent School Districts, Placing Control Thereof in the Hands of the Board of Education, and Providing for Special Elections in Such Districts and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION "R"

Also,

House Bill No. 80. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 199 of the Session Laws of 1933, Transferring Certain Duties From the Regulatory Department of the State of North Dakota, to the Office of the State Dairy Commissioner, and Providing for the Payment of Expenses Incident to the Carrying Out of Such Duties, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 21, 1935.

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee to act with a like committee from the Senate on Senate Bill No. 91, Representatives Brunsdale, Dalzell and Williams.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Peterson moved that a Conference Committee be appointed on Senate Bill No. 91.

Which motion prevailed.

The President announced the appointment of Senators Peterson, Drew and Wog as the Senate Conference Committee on Senate Bill No. 91.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 21, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 91 and the President has appointed as a Conference Committee, Senators Peterson, Drew and Wog.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 21, 1935.

Mr. Speaker: I have the honor to request you to return Senate Bill No. 91 to the Senate.

Very respectfully,

F. E. TUNELL,
Secretary.

The President called Senator Fine to the chair to preside.

SECOND READING OF SENATE BILLS

Senate Bill No. 243. A Bill for an Act to Amend and Re-enact Section 10606, Compiled Laws of 1913, Relating to Preliminary Examinations of Persons Accused of Crime, and Permitting the Defendant to Make Unsworn Statements in Answer to the Charge Against Him.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Owings
Braaten	Kamrath	Peterson
Brostuen	Kolpin	Strehlow
Cain	Kroeber	Stucke
Coffey	Lemke	Thatcher
Drew	Lind	Thorson
Dubay	Lowe	Topp
Eastgate	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan

Messrs.	Messrs.	Messrs.
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Johnson	Nelson, Barnes
Erickson	Jones	Nelson, Grand Fks.

So the bill passed and the title was agreed to.

Senate Bill No. 244. A Bill for an Act to Permit Fidelity and Surety Companies to Act as Sureties Upon Civil or Criminal Undertakings for Bail.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Mutchler
Braaten	Johnson	Owings
Brostuen	Kamrath	Peterson
Cain	Kolpin	Strehlow
Coffey	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Jones	Nelson, Grand Fks.
Erickson	Nelson, Barnes	Trout

So the bill passed and the title was agreed to.

Senate Bill No. 245. A Bill for an Act to Fix the Venue of Crimes Committed in or Against Aircraft in Flight, and Upon Trains or Other Vehicles.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Mutchler
Braaten	Johnson	Owings
Brostuen	Kamrath	Peterson
Cain	Kolpin	Strehlow
Coffey	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Jones	Nelson, Grand Fks.
Erickson	Nelson, Barnes	Trout

So the bill passed and the title was agreed to.

Senate Bill No. 246. A Bill for an Act to Provide for the Use of Alternate Jurors in Criminal Cases, and to Regulate the Practice of the Courts in Regard Thereto.

Was read the second time.

ROLL CALL

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.
Bonzer	Johnson	Owings
Braaten	Kamrath	Peterson
Brostuen	Kolpin	Strehlow
Cain	Kroeber	Stucke
Coffey	Lemke	Thatcher
Drew	Lind	Thorson
Dubay	Lowe	Topp
Eastgate	Lynn	Trout
Erickson	Marshall	Trovatten
Ettestad	Matthaei	Vinje
Fine	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Gronvold	Mutchler	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Greene, Stutsman	Nelson, Barnes
Fowler	Jones	Nelson, Grand Fks.

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 21, 1935.

Mr. President: I have the honor to return herewith the following:

Senate Bill No. 91. A Bill for an Act Requiring Issuance of Receipt for Road Tax Paid Interstate Carriers, and Requiring Posting of Receipts.

Which the Senate has requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

SECOND READING OF SENATE BILLS

Senate Bill No. 268. A Bill for an Act to Regulate and Control the Charges and Commissions Asked by Local Farm Machinery Dealers or Agents, for Parts and Extras Which Are Not Carried in Local Stock; Defining Violations; Providing for Enforcement and Prosecution, and Supersedence of This Act.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 16; nays, 29; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Lind	Owings
Brostuen	Marshall	Stucke
Dubay	McDonald	Thorson
Erickson	Miklethun	Vinje
Fine	Mutchler	Wog
Lemke		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Peterson
Cain	Handley	Strehlow
Coffey	Johnson	Thatcher
Drew	Kamrath	Topp
Eastgate	Kolpin	Trout
Ettestad	Kroeber	Trovatten

Messrs.	Messrs.	Messrs.
Fowler	Lowe	Watt
Fredrickson	Lynn	Whelan
Greene, Cavalier	Matthaei	Young
Greene, Stutsman	McGillic	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Nelson, Barnes	Nelson, Grand Fks.
Jones		

So the bill was lost.

Senator Eastgate: "I am going to vote 'no' on this bill because if a man wants extras he wants them right away, and as I understand it, if this bill passes sometime when you might need to telephone for an extra you would have to wait until it was sent for by mail. I vote 'no' because I think it would be gyping the farmer out of a lot of time waiting for repairs when he should be working."

Senator Ettestad: "I feel this bill is not workable, being that there is a lot of old machinery that we have no repairs for on hand. If the dealer cannot send for those repairs and charge up the expense for postage, express or freight, then I think it would be impossible for the implement dealer to stay in business. I vote 'no'."

Senator Lowe: "As an old implement dealer who has done business for a good many years along these lines, I want to vote 'no.' There are a great many times when we have to order repairs and the postage costs more than the repair itself, and therefore, I vote 'no.'"

Senator McGillic requested that Senate Bill No. 159 be laid over one Legislative day.

Senator Bonzer moved that the Senate proceed with action on Senate Bill No. 159.

Which motion prevailed.

Senator McGillic moved that Senate Bill No. 159 be amended as follows:

In line 2, Section 1, re-insert the words "or bonds" and strike out the words "other than life, health or accident insurance."

Which motion was lost.

Senate Bill No. 159. A Bill for an Act to Provide for Reciprocal Fire Underwriters' Licenses.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 26; nays, 19; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	McDonald
Braaten	Johnson	Owings
Dubay	Kamrath	Peterson
Erickson	Kolpin	Strehlow
Ettestad	Kroeber	Stucke
Fine	Lemke	Thatcher
Fowler	Lynn	Vinje
Greene, Cavalier	Marshall	Whelan
Greene, Stutsman	Matthaei	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Lind	Topp
Cain	Lowe	Trout
Coffey	McGillic	Trovatten
Drew	Miklethun	Watt
Eastgate	Mutchler	Wog
Fredrickson	Thorson	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Nelson, Barnes	Nelson, Grand Fks.
Jones		

So the bill passed and the title was agreed to.

Senator Matthaei moved that the vote by which Senate Bill No. 159 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 186. A Bill for an Act Transferring \$78,293.94 From Certain Fund in Office of State Treasurer, Derived From the United States, to the State Equalization Fund, Appropriating the Same for School Purposes, and Providing That Funds Derived in the Future From Same Source Shall Be Placed in the State Equalization Fund and Used for School Purposes, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Gronvold	Owings
Braaten	Handley	Peterson
Brostuen	Johnson	Strehlow

Messrs.	Messrs.	Messrs.
Cain	Kamrath	Stucke
Coffey	Kolpin	Thatcher
Drew	Kroeber	Thorson
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Erickson	Lowe	Trovatten
Ettestad	Lynn	Vinje
Fine	Marshall	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Matthaei	Nelson, Grand Fks.
Jones	Nelson, Barnes	

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Cain moved that Senate Bill No. 161 be amended as follows:

In line 9, Section 6, page 6, beginning with the word "That" strike out the remainder of the Section.

Which motion prevailed.

Senator Miklethun moved that Senate Bill No. 161 be amended as follows:

In Section 2, page 3, line 28, after the word "of" strike out "twenty-five hundred dollars (\$2,500.00)" and insert in lieu thereof "fifteen hundred dollars (\$1,500.00)."

Which motion prevailed.

Senator Miklethun moved that Senate Bill No. 161 be amended as follows:

In Section 2, page 3, line 34, after the word "of," strike out the word "five" and insert in lieu thereof "fifteen."

Which motion was lost.

Senator Cain moved that the rules be suspended and that Senate Bill No. 161, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 161. A Bill for an Act Providing for the Regulation of Dealers in Livestock, and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Records Required of Dealer; Feeding, Watering and Weighing; Acts of Deceit, Fraud or Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act;

Penalty for Violation of Act, and, Repealing all of Chapter 7 of the Session Laws of the State of North Dakota for the Year 1933; and Repealing all Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Kamrath	Strehlow
Braaten	Kolpin	Stucke
Brostuen	Kroeber	Thatcher
Cain	Lemke	Thorson
Coffey	Lynn	Topp
Drew	Marshall	Trout
Dubay	Matthaei	Trovatten
Ettestad	McDonald	Vinje
Fowler	McGillic	Watt
Fredrickson	Miklethun	Whelan
Greene, Stutsman	Mutchler	Wog
Handley	Owings	Young
Johnson	Peterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Eastgate	Greene, Cavalier	Lind
Erickson	Gronvold	Lowe
Fine		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Nelson, Barnes	Nelson, Grand Fks.
Jones		

So the bill passed and the title was agreed to, and the emergency clause declared carried.

President pro tem. Marshall returned to the chair.

Senator Erickson moved that Senate Bill No. 254 be laid over one legislative day.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 21, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 80. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 199 of the Session Laws of 1933, Transferring Certain Duties From the Regulatory

Department of the State of North Dakota, to the Office of the State Dairy Commissioner, and Providing for the Payment of Expenses Incident to the Carrying Out of Such Duties, and Declaring an Emergency.

Which the President has signed.

Also transmit:

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1291, Compiled Laws of 1913, Concerning Elections in Independent School Districts, Placing Control Thereof in the Hands of the Board of Education, and Providing for Special Elections in Such Districts.

Also,

SENATE CONCURRENT RESOLUTION "R"

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Fine moved that Senate Bill No. 29 be laid over until Monday.

Which motion prevailed.

Senator McDonald moved that Senate Bill No. 78 be referred to the Committee on Ways and Means.

Which motion prevailed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Paul Hjelmstad, Ole Nygard, Otto Mathiason and Martin Holm of Thompson; A. F. Lehr, Gackle; Jacob M. Levi, Frank Mitzel, Mr. and Mrs. Sebastian Mitzel, of Zeeland; Mr. and Mrs. J. P. Schrenk, Viola Schrenk, Ventura; Misses Gagnum and Marks of Bowbells; C. H. Reimer, W. E. Hoopes, of Carrington; Larkin C. Hart, Williston; Arne Tollefson, Schafer; Frank Comegys, Cartwright; Ernest L. Leland, Skaar; P. A. Stenehjelm, Odin Stenehjelm and Mrs. M. S. Stenehjelm, of Arnegard; Dr. and Mrs. D. F. Seed, of Minot; Mrs. Vesta Harrington, Mrs. C. W. Carey, of Lidgerwood; Nels Braaten, W. A. Painham, Lewis Braaten, Oscar Odegaard, and John Odegaard, of Wyndmere; D. W. Peightal, Mrs. R. V. Peightal, Mrs. Eldom Peightal, of Coleharbor, J. J. Mahowald, and R. L. Fraser, of Garrison.

Senator Bonzer moved that the Senate do now recess until 11:00 o'clock Monday.

Which motion prevailed.

The Senate stood recessed.

F. E. TUNELL,
Secretary.

FORTY-FIFTH DAY AFTER RECESS AND THE
FORTY-NINTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 25, 1935.

The Senate convened at 11:00 o'clock A. M., pursuant to recess, President pro tem. Marshall presiding.

SENATE COMMITTEE ON ENROLLMENT AND
ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 154. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 19 of Chapter 179 of the Session Laws of 1927, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 162 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 162 of the 1933 Session Laws, Providing for Taxation of Motor Vehicles Using the Highways of the State of North Dakota for Commercial Purposes, and Engaged in Transportation for Hire in Interstate Commerce.

Also,

Senate Bill No. 95. A Bill for an Act to Amend and Re-enact Section 7643, Supplement to the Compiled Laws of 1913, Relating to Directed Verdicts, and Declaring an Emergency.

Also,

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 3084a2, 3084a3, 3084a7 and 3084a9, Supplement to the Compiled Laws of 1913, Providing for the Appointment of the State Coal Mine Inspector by the Workmen's Compensation Bureau, Defining Eligibility to That Office, Providing for Assistance and Instruments to Be Furnished to the Inspector and for Payment Therefor and Providing for the Filling of Temporary Vacancies in the Office, and Declaring an Emergency.

Also,

Senate Bill No. 3. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Salary and, also, the Expenses of District Judges While Holding Court Outside the County in Which the Judges Reside and While Serving on the Supreme Court Bench.

Also,

Senate Bill No. 20. 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. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment of the School for the Deaf at Devils Lake, North Dakota.

Were delivered to the Governor for his approval at the hour of 3:00 o'clock P. M., February 21, 1935.

T. E. WHELAN,
Chairman.

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. 23. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession during the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act.

Also,

Senate Bill No. 161. A Bill for an Act Providing for the Regulation of Dealers in Livestock, and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Records Required of Dealer; Feeding, Watering and Weighing; Acts of Deceit, Fraud or Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act, and, Repealing all of Chapter 7 of the Session Laws of the State of North Dakota for the Year 1933; and Repealing all Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Also,

Senate Bill No. 242. A Bill for an Act to Amend and Re-enact Section 11119, Compiled Laws of 1913, and to Permit the Deposit of Money or Bonds as Bail in Criminal Cases.

And find the same correctly re-engrossed.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 230. A Bill for an Act to Amend and Re-enact Section 7745 of the Compiled Laws of North Dakota, for the Year 1913, Relating to the Notice to Be Given Upon Sale of Real Property Under Execution; Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 237. A Bill for an Act to Regulate the Practice of Professional Engineering and Land Survey, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 247. A Bill for an Act Providing for the Disposition of Liquor and for the Applying of the Proceeds Thereof to the General Fund of the County Where Such Liquor was Seized or is Held, and Declaring an Emergency.

Also,

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North

Dakota for the Year 1931, Relating to Capital Stock of Banks.

Also,

Senate Bill No. 225. A Bill for an Act to Provide for the Incorporation of Cooperative Grazing Associations to Aid in the Conservation, Restoration, Improvement, Development and Utilization of Forage Resources in the State of North Dakota; to Authorize Such Associations to Lease County, State, Federal, or Other Lands for Such Purposes, and to Create Grazing Districts, and to Provide for the Management and Use of Such Lands Which Will Best Conserve, Restore, Improve and Develop the Forage Value Thereof.

Also,

Senate Bill No. 227. A Bill for an Act to Amend and Re-enact Chapter 7429, Compiled Laws of North Dakota for the Year 1913, Relating to Service of Summons by Publication.

Also,

Senate Bill No. 297. A Bill for an Act Providing for the Cancellation of Record of Certain Chattel Mortgages and Certain Written Agreements Relating to Personal Property, by the Register of Deeds, for Cancelling Certain Bills of Sale, Requiring Assignments of Chattel Mortgages to Be Filed Before the Filing of Affidavit of Renewal or Satisfaction, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 229. A Bill for an Act Relating to Foreclosure of Mortgage or Other Lien Upon Real Estate Providing for Service of Summons in Actions to Foreclose Mortgage or Other Lien Upon Real Estate; Providing for Personal Service or Service by Publication; Specifying Manner in Which Unknown Defendants and Representatives of Deceased Defendants May Be Joined; Providing That Said Method Shall Be in Addition to Present Remedies.

And find the same correctly engrossed.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 97. A Bill for an Act Relating to Re-funding Special Improvement Warrants, Repealing Chapter 178 of the Session Laws of North Dakota for 1929 and All Other Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 112. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Stenographers, and Clerkhire, Express and Freight, Postage, Telegrams and Telephones, Office Supplies, Printing, Traveling Expenses, and Miscellaneous Expenses of the State Geological Survey, and Declaring an Emergency.

Also,

Senate Bill No. 125. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Several Counties to Remove from the Tax Rolls and Declare as Exempt from Taxation All Inundated Lands Upon Which the Owner Thereof Has Granted or Shall Hereafter Grant to the United States of America, Its Instrumentalities or Agencies, a Permanent Easement for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Such Inundated Lands Shall Remain Exempt Until Such Time as the Water and/or Wildlife Conservation Projects Shall Have Been Abandoned, Providing That Such Power to Remove from the Tax Rolls or Declare as Exempt Shall Not Attach Until Such Time as the Construction of the Water and/or Wildlife Conservation Projects Shall Have Been Completed, and Declaring an Emergency.

Also,

Senate Bill No. 126. A Bill for an Act Declaring All Water and/or Wildlife Conservation Projects, Including Wildlife Reservations, to Be a Public Purpose, Providing That All Lands Within the Ordinary High-water Mark of Navigable Lakes Shall Be Under the Control of the State, Under Its Police Power, for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Authority and Control Over Such Lands Shall Be Vested in the State Engineer, Defining the Term "Ordinary High-water Mark," Providing That All Meandered Lakes Shall Be Declared to Be Navigable Within the Meaning of This Act, Providing a Saving Clause, Repealing All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Also,

SENATE RESOLUTION No. F

A Resolution Extending Congratulations and Thanks to Senator Frazier and Congressman Lemke, in Regard to the Holding of Hon. Charles I. Dawson, Declaring Constitutional and Valid the Frazier-Lemke Farm Moratorium Act.

Also,

SENATE CONCURRENT RESOLUTION No. M

A Concurrent Resolution Providing for the Amendment of Section 156 of Article 9 of the Constitution of North Dakota, Relating to Investment of Funds Arising from the Sale, Rental and Disposal of School and University Lands.

Also,

SENATE JOINT RESOLUTION F.

A Joint Resolution Memorializing Congress to Grant Consent to Taxation by the Several States of Certain Interstate Sales.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan 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. 97. A Bill for an Act Relating to Refunding Special Improvement Warrants, Repealing Chapter 195 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 178 of the Session Laws of North Dakota for 1929 and All Other Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 112. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Stenographers, and Clerkhire, Express and Freight, Postage, Telegrams and Telephones, Office Supplies, Printing, Traveling Expenses, and Miscellaneous Expenses of the State Geological Survey, and Declaring an Emergency.

Also,

Senate Bill No. 125. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Several Counties to Remove from the Tax Rolls and Declare as Exempt from Taxation All Inundated Land Upon Which the Owner Thereof Has Granted or Shall Hereafter Grant to the United States of America, Its Instrumentalities or Agencies, a Permanent Easement for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Such Inundated Lands Shall Remain Exempt Until Such Time as the Water and/or Wildlife Conservation Projects Shall Have Been Abandoned, Providing That Such Power to Remove from the Tax Rolls or Declare as Exempt Shall Not Attach Until Such Time as the Construction of the Water and/or Wildlife Conservation

Projects Shall Have Been Completed, and Declaring an Emergency.

Also,

Senate Bill No. 126. A Bill for an Act Declaring All Water and/or Wildlife Conservation Projects, Including Wildlife Reservations, to Be a Public Purpose, Providing That All Lands Within the Ordinary High-water Mark of Navigable Lakes Shall Be Under the Control of the State, Under Its Police Power, for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Authority and Control Over Such Lands Shall Be Vested in the State Engineer, Defining the Term "Ordinary High-water Mark," Providing That All Meandered Lakes Shall Be Declared to Be Navigable Within the Meaning of This Act, Providing a Saving Clause, Repealing All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION "M"

Also,

SENATE JOINT RESOLUTION "F"

Also,

SENATE RESOLUTION "F"

And the President signed the same in the presence of the Senate.

The following Resolutions were filed with the Secretary of State:

SENATE CONCURRENT RESOLUTION "T"

Also,

SENATE CONCURRENT RESOLUTION "R"

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 25, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 23. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession during the Extended Period,

and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act.

Also,

Senate Bill No. 242. A Bill for an Act to Amend and Re-enact Section 11119, Compiled Laws of 1913, and to Permit the Deposit of Money or Bonds as Bail in Criminal Cases.

Also,

Senate Bill No. 243. A Bill for an Act to Amend and Re-enact Section 10606, Compiled Laws of 1913, Relating to Preliminary Examinations of Persons Accused of Crime, and Permitting the Defendant to Make Unsworn Statements in Answer to the Charge Against Him.

Also,

Senate Bill No. 244. A Bill for an Act to Permit Fidelity and Surety Companies to Act as Sureties Upon Civil or Criminal Undertakings for Bail.

Also,

Senate Bill No. 245. A Bill for an Act to Fix the Venue of Crimes Committed in or Against Aircraft in Flight, and Upon Trains or Other Vehicles.

Also,

Senate Bill No. 246. A Bill for an Act to Provide for the Use of Alternate Jurors in Criminal Cases, and to Regulate the Practice of the Courts in Regard Thereto.

Also,

Senate Bill No. 159. A Bill for an Act to Provide for Reciprocal Fire Underwriters' Licenses.

Also,

Senate Bill No. 186. A Bill for an Act Transferring \$78,293.94 From Certain Fund in Office of State Treasurer, Derived From the United States, to the State Equalization Fund, Appropriating the Same for School Purposes, and Providing That Funds Derived in the Future From Same Source Shall Be Placed in the State Equalization Fund and Used for School Purposes, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

Senate Bill No. 161. A Bill for an Act Providing for the Regulation of Dealers in Livestock, and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Records Required of Dealer; Feeding, Watering and Weighing; Acts of Deceit, Fraud or Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act;

Penalty for Violation of Act, and, Repealing all of Chapter 7 of the Session Laws of the State of North Dakota for the Year 1933; and Repealing all Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 25, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 97. A Bill for an Act Relating to Re-funding Special Improvement Warrants, Repealing Chapter 195 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 178 of the Session Laws of North Dakota for 1929 and All Other Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 112. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Stenographers, and Clerkhire, Express and Freight, Postage, Telegrams and Telephones, Office Supplies, Printing, Traveling Expenses, and Miscellaneous Expenses of the State Geological Survey, and Declaring an Emergency.

Also,

Senate Bill No. 125. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Several Counties to Remove from the Tax Rolls and Declare as Exempt from Taxation All Inundated Land Upon Which the Owner Thereof Has Granted or Shall Hereafter Grant to the United States of America, Its Instrumentalities or Agencies, a Permanent Easement for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Such Inundated Lands Shall Remain Exempt Until Such Time as the Water and/or Wildlife Conservation Projects Shall Have Been Abandoned, Providing That Such Power to Remove from the Tax Rolls or Declare as Exempt Shall Not Attach Until Such Time as the Construction of the Water and/or Wildlife Conservation Projects Shall Have Been Completed, and Declaring an Emergency.

Also,

Senate Bill No. 126. A Bill for an Act Declaring All Water and/or Wildlife Conservation Projects, Including Wildlife Reservations, to Be a Public Purpose, Providing That All Lands Within the Ordinary High-water Mark of

Navigable Lakes Shall Be Under the Control of the State, Under Its Police Power, for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Authority and Control Over Such Lands Shall Be Vested in the State Engineer, Defining the Term "Ordinary High-water Mark," Providing That All Meandered Lakes Shall Be Declared to Be Navigable Within the Meaning of This Act, Providing a Saving Clause, Repealing All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION "M"

Also,

SENATE JOINT RESOLUTION "F"

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 13. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment 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 be amended as follows:

In line 3 of the printed bill strike out the figures "\$65,559.00" and insert in lieu thereof the figures "\$62,759.00."

In line 21 of the printed bill after the word "Repairs" insert the following language "and Hog House." In the same line strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$8,000.00."

In line 31 of the printed bill strike out the figures "\$52,559.00" and insert in lieu thereof the figures "\$55,559.00."

In line 34 of the printed bill, strike out the figures "2,000.00" and insert in lieu thereof the figures "550.00."

In line 35 of the printed bill strike out the figures "2,000.00" and insert in lieu thereof the figures "550.00."

In line 36 of the printed bill strike out the figures "2,000.00" and insert in lieu thereof the figures "550.00."

In line 37 of the printed bill strike out the figures "2,000.00" and insert in lieu thereof the figures "550.00."

In line 39 of the printed bill strike out the figures "\$65,559.00" and insert in lieu thereof the figures "\$62,759.00."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 15. 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.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

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 "\$136,624.00" and insert in lieu thereof the figures "\$113,340.00."

In line 9 of the printed bill strike out the figures "\$57,284.00" and insert in lieu thereof the figures "40,000.00."

In line 11 of the printed bill strike out the figures "3,500.00" and insert in lieu thereof the figures "2,000.00."

In line 12 of the printed bill strike out the figures "4,000.00 and insert in lieu thereof the figures "2,500.00."

In line 13 of the printed bill strike out the figures "5,000.00" and insert in lieu thereof the figures "2,000.00."

In line 19 of the printed bill strike the figures "\$136,624.00" and insert in lieu thereof the figures "\$113,340.00."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 19. 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 3 of the printed bill strike out the figures "\$264,081.20" and insert in lieu thereof the figures "\$260,681.20."

In line 42 of the printed bill strike out the figures "500.00" and insert in lieu thereof the figures "800.00." Strike out all of line 43 of the printed bill. Strike out all of line 49 of the printed bill.

In line 53 of the printed bill strike out the figures "\$264,081.20" and insert in lieu thereof the figures "\$260,681.20."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways made the following report:

Mr. President: Your Committee on Highways to whom was referred:

Senate Bill No. 87. A Bill for an Act Regulating the Licensing of Persons Operating Motor Vehicles Upon the Highways of the State and Providing the Manner for Procuring License, Fees Therefor and Disposition of Fees, Exempting Certain Persons, for Suspension of License, and

Appeal Therefrom, for Revocation of License, and Reinstatement, for Administration by State Highway Commissioner, Providing Penalties for Violations, and Repealing Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY PETERSON,
Chairman.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Public Health made the following report:

Mr. President: Your Committee on Public Health to whom was referred:

Senate Bill No. 111. A Bill for an Act Defining and Relating to Narcotic Drugs; Specifying the Persons Who May Sell, Prescribe, and Have Such Drugs in Their Possession; Establishing Regulations for the Manufacturer and Sale Prescription; Providing for License; Fixing Penalty for Violation of the Law and Repealing All Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

E. C. STUCKE,
Chairman.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 93. A Bill for an Act to Authorize and Direct the Board of Administration to Appoint a Chancellor for the Institutions of Higher Learning of the State, Eliminating Unnecessary Duplication, and Providing for the Co-ordination of Courses of Study in Our State Educational Institutions Insofar as it is Practicable.

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.

The Committee on Cities and Municipal Corporations made the following report:

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

Senate Bill No. 98. A Bill for an Act to Amend and Re-enact Subsection (3) of Section 1, Chapter 196, Session Laws of North Dakota for the Year 1927, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be further amended as follows:

On page 2, Section 1, Subsection 3, line 20 of the printed bill, after the word "Equalization," strike out the period, insert a comma and add the following language: "provided, however, that this Act shall apply only to the refunding of evidences of indebtedness issued and outstanding prior to January 1st, 1935."

And when so amended recommend the same do pass.

G. A. JONES,
Chairman.

Senator Jones moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Cities and Municipal Corporations made the following report:

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Sub-section 8 of Section 4 of Chapter 196, Session Laws of North Dakota for 1927, Entitled "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, 2882a1, 2882a2, 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," Relating to Municipalities, Including School Districts, Borrowing Money by Means of Bond Issues, in Order to Provide Necessary Funds for Payment of Principal and Interest of Bonds Due or About to Become Due, and Declaring When Certain Bonds are Considered as Due and Payable.

Have had the same under consideration and recommend that the same be indefinitely postponed.

G. A. JONES,
Chairman.

Senator Jones moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. President: Your Committee on Insurance to whom was referred:

Senate Bill No. 105. A Bill for an Act Regulating the Right and Remedy to Recover Damages for Negligence, or Wanton, Willful or Wrongful Act, Resulting in Loss of Human Life, or Injury to Person or Property; Modifying the Common Law Rule of Contributory Negligence; Providing for Survival of Cause of Action in Case of Death and for Making Insurer a Party to Action, and Exempting from the Provisions Hereof Certain Classes of Cases.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. E. MATTHAEI,
Chairman.

Senator Matthaei moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 158. A Bill for an Act to Require Free Correspondence Courses to Be Provided for all North Dakota Children of High School Age.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, subsection "A", line 5, of the printed Bill, strike out the word "designated" and following the word "learning" in the same line, insert the following: "to be designated by the Board of Administration."

In Section 1, subsection "B," line 9, of the printed Bill, following the word "shall" insert the following language: "upon compliance with regulations of the State Department of Public Instruction."

In Section 1, subsection "D," line 25, of the printed Bill, strike out the comma after the word "Director" and insert a period in lieu thereof, and strike out the balance of lines 25 and 26.

In Section 1, subsection "G," line 39, on page 3 of the printed Bill, strike out the word "for" and insert in lieu thereof: "together with necessary."

In Section 4, page 3 of the printed Bill, strike out all of line 1 and the words "College shall be designated as" in line 2, and change the small letter "t" of the word "the" to capital; and in line 3, strike out the period after the word "Educa-

tion" and insert the following language: "shall be appointed by the Board of Administration, who shall determine his qualifications and fix his compensation."

In said Section 4, line 9, following the word "Agriculture" strike out the comma and insert the words "and Labor,".

Strike out all of subsection "A" in Section 4.

In Section 6, line 3 of the printed Bill, strike out the words "foster and develop" and insert in lieu thereof: "study and develop a plan for the establishment of."

In line 6 of Section 6, following the word "extent," strike out the period and the balance of the Section and insert in lieu thereof the following language: "regular credits granted for work satisfactorily completed."

And when so amended recommend the same do pass.

A. S. MARSHALL,
Chairman.

Senator Marshall moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 162. A Bill for an Act to Provide an Additional Method for Issuance of Professional Teachers Certificates.

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.

Senator Erickson moved as a substitute motion that Senate Bill No. 162 do pass.

Which motion prevailed, and Senate Bill No. 162 was recommended for passage.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

Senate Bill No. 174. A Bill for an Act Providing for Uniform Title to Papers and Proceedings in Probate Court Practice, and for Form of Citation.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after Section 1 and insert in lieu thereof the following:

"In the title to all citations and final decrees in the probate courts of North Dakota, each and all of the respondents in such proceeding shall be named as respondents, but in all other orders or pleadings or other papers it shall not be necessary to name all of the respondents as respondents therein. It shall be sufficient to name one respondent with the language 'et al'."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 181. A Bill for an Act to Regulate the Employment of Teachers in the Public Schools of the Classified First, Second, and the Third Class High Schools; of the First, Second, and Third Class Graded and Consolidated Schools; and in State Institutions of Higher Learning, and Fixing the Conditions Under Which They May Hold Their Positions, or May Be Discharged.

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.

Senator Fine asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Fine moved that the Senate recess until 1:00 o'clock P. M.

Which motion prevailed.

The Senate re-convened pursuant to recess taken, President pro tem. Marshall presiding.

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. 98. A Bill for an Act to Amend and Re-

enact Subsection (3) of Section 1, Chapter 196, Session Laws of North Dakota for the Year 1927, and Declaring an Emergency.

And find the same correctly re-engrossed.

Also,

Senate Bill No. 13. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota, and its Branch Stations.

Also,

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Also,

Senate Bill No. 19. 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. 158. A Bill for an Act to Require Free Correspondence Courses to Be Provided for all North Dakota Children of High School Age.

Also,

Senate Bill No. 174. A Bill for an Act Providing for Uniform Title to Papers and Proceedings in Probate Court Practice, and for Form of Citation.

And find the same correctly engrossed.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 14. 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 be amended as follows:

On page 1 of the printed bill, Section 1, line 3, strike out the figures "\$416,095.83" and insert in lieu thereof the figures "\$478,017.27."

On page 2 of the printed bill, line 12, after the item "telephone exchange," strike out the figures "6,728.00" and insert in lieu thereof the figures "7,500.00."

On page 2 of the printed bill, following line 13, insert the following: "13½. 5½. Employment Bureau..... 2,000.00"

On page 2 of the printed bill, line 17, item "a. Agriculture," strike out the figures "\$110,346.12" and insert in lieu thereof the figures "\$120,346.12."

On page 2 of the printed bill, line 20, after item "a. Engineering," strike out the figures "69,407.20," and insert in lieu thereof the figures "75,407.20."

On page 2 of the printed bill, line 21, item "School of Chemistry," strike out the figures "31,576.96" and insert in lieu thereof the figures "37,576.96."

On page 2 of the printed bill, line 22, item "Home Economics," strike out the figures "35,788.00," and insert the figures "40,000.00."

On page 2 of the printed bill, in line 24, item "Science and Literature," strike out the figures "112,454.40" and insert the figures "130,000.00."

On page 2 of the printed bill, line 27, item "College Library," strike out the figures "15,919.00" and insert the figures "20,000.00."

On page 2 of the printed bill, in line 29, item "Physical Education for Men," strike out the figures "5,000.00" and insert the figures "7,000.00."

On page 2 of printed bill, in line 35, item "Power Plant," strike out the figures "19,178.60," and insert the figures "24,000.00."

On page 3 of the printed bill, line 37, item "Buildings and Grounds," strike out the figures "35,510.56," and insert in lieu thereof the figures "40,000.00."

On page 3 of printed bill, in line 42, item "Total Maintenance," strike out the total figure of "\$655,463.16" and insert in lieu thereof the figures "\$717,384.60."

On page 3 of printed bill, line 44a, item "Net Maintenance," strike out the figures "\$351,163.16" and insert in lieu thereof the figures "\$413,084.60."

On page 4 of the printed bill, in line 62, item "Total," strike out the figures "\$416,095.83," and insert in lieu thereof the following: "\$478,017.27."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,

Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 22. A Bill for an Act Making an Appropriation to pay for the General Maintenance, Improvements and Repairs, Lignite Testing, Clay Testing, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

On page 1 of the printed bill, Section 1, line 3, strike out the figures "\$582,963.00" and insert the figures "\$598,203.00."

On page 1 of the printed bill, Section 1, line 6, following the word "testing" insert the following: "Student F.E.R.A. Office."

On page 2 of the printed bill, following line 22, insert the following:

"22½. 12½. Dean of Men 6,000.00"

On page 2 of the printed bill, following line 32, insert the following:

"32½. 6½. Student F.E.R.A. office \$3,240.00"

On page 3 of printed bill, following line 37, insert the following:

"37½. 2½. Increase Janitors' Salaries \$6,000.00"

On page 3 of printed bill, in line 45, item "Total Maintenance," strike out the figures "\$759,705.00" and insert the figures "\$774,945.00."

On page 3 of printed bill, in line 48, item "Net Maintenance," strike out the figures "\$547,705.00" and insert the figures "\$562,945.00."

On page 3 of printed bill, line 53, item "Total," strike out the figures "\$582,963.00" and insert the figures "\$598,203.00."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted.

Senator Erickson moved as a substitute motion that the printed report as submitted by the Budget Board be adopted.

Which motion was lost.

The question being on the motion of Senator Fredrickson, the motion prevailed and the report was adopted, and Senate Bill No. 22 was recommended for passage as amended.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred.

Senate Bill No. 61. A Bill for an Act Defining, Licensing, and Regulating Dealers at Wholesale, Defining the Words "Produce," "Person," and "Commissioner"; Providing Procedure to Obtain a License, the Date of Expiration of Licenses, the Fee for License, and the Posting of License; Fixing the Amount of Bonds for Dealers at Wholesale, and Prescribing the Conditions of Bonds; Providing for the Filing of Commission Schedules, the Keeping of Records and the Report to Shippers by Dealers at Wholesale; Providing for Appeals from Rulings of the Commissioner and the Method of Taking Appeals; Providing for the Handling and Disposition of Money Received from License Fees; Imposing Certain Duties upon and Granting Certain Powers to the Commissioner of Agriculture, and Prescribing Penalties for the Violation of This Act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Public Lands made the following report:

Mr. President: Your Committee on Public Lands to whom was referred:

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 339 of the Compiled Laws of North Dakota for 1913, Relating to Selection of School Lands for Leasing, Advertising Same, Auction When Held, Commencement of Lease, and Repealing All Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be amended as follows:

In line 12 of the printed bill, strike out the word "tenth" and insert in lieu thereof the word "first."

And when so amended recommend the same do pass.

JOHN L. MIKLETHUN,
Chairman.

Senator Miklethun moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 121. A Bill for an Act Prohibiting Public Utilities from Engaging in Any Subsidiary Line or Business, Directly or Indirectly, Prohibiting Such Public Utilities from Selling or Furnishing Goods, Wares, Service or Product Other Than Furnished in the Primary Business, or a By-product Created in the Natural Course of Business.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 136. A Bill for an Act Amending Articles 2889b4, 2889b5 and 2889b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Being Part of Article 40b of Chapter 38 of the Political Code, Relating to Food and Drugs, and Known as the North Dakota Food and Drugs Act.

Have had the same under consideration and recommend that the same be amended as follows:

Correct title of printed bill to read as follows:

"For an Act Amending Sections 2889b4, 2889b5 and 2889b6, Compiled Laws of 1913, Relating to Food and Drugs, and Known as the North Dakota Food and Drugs Act."

On page 1 of the printed bill, correct Section 1 to read as follows:

"Section 1. AMENDMENT.) That Section 2889b4, Compiled Laws of 1913, be amended and re-enacted to read as follows:"

On page 2 of printed bill, Section 1, line 17, following the word "person," strike out the period and add the words: "except soap."

On page 2 of printed bill, correct Section 2 to read as follows:

"Section 2. AMENDMENT.) That Section 2889b5, Compiled Laws of 1913, be amended and re-enacted to read as follows:

On page 4, line 49, after the word "substance" insert the words "in a quantity." And on said page 4, line 52, after the word "Second," strike out all of line 52 and the word "substance" in line 53, and insert in lieu thereof the

following: "When construing and enforcing the provisions of this Act reasonable allowances, consistent with the purpose of this Act, shall be made for abnormal individual reactions."

On page 4 of the printed bill, amend Section 3 to read as follows:

"Section 3. AMENDMENT.) That Section 2889b6, Compiled Laws of 1913, be re-enacted to read as follows:

On page 5 of printed bill, Section 3, line 30, strike out the word "as."

And when so amended, recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Fowler moved that the committee report on Senate Bill No. 136 be amended as follows:

Where the words "Compiled Laws of 1913" appear insert the words "Supplement to the" immediately preceding the word "Compiled."

Which motion prevailed.

Senator Bonzer moved that the report as amended be adopted.

Which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 146. A Bill for an Act to Repeal All of Chapter 124 of the Session Laws of the State of North Dakota for the Year 1927.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Agriculture and Labor made the following report:

Mr. President: Your Committee on Agriculture and Labor to whom was referred:

House Bill No. 158. A Bill for an Act to Amend Section 2817 of the Compiled Laws of North Dakota for the Year 1913 Relating to Noxious Weeds, the Definition of Noxious Weeds and the Manner of Destroying the Same.

Have had the same under consideration and recommend that the same be indefinitely postponed.

HERMAN THORSON,
Chairman.

Senator Thorson moved that the report be adopted.

Senator Young moved as a substitute motion that House Bill No. 158 do pass.

Which motion prevailed, and House Bill No. 158 was recommended for passage.

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. 164. A Bill for an Act to Amend and Re-enact Section 4 (a) of Chapter 166 of the Session Laws of North Dakota for the Year 1929, and to Amend and Re-enact Section 6 of Chapter 189 of the Session Laws of North Dakota for the Year 1931, Being 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; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; 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.

Have had the same under consideration and recommend that the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 160. A Bill for an Act to Amend and Re-enact Chapter 272 of the Session Laws of 1931, Authorizing the Board of Administration, with the Approval and Consent of the Governor, to Transfer the License of the Radio Station Located at the State University of North Dakota at Grand Forks, North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 3 of the printed bill, after the word "license" add the words "by lease."

Strike out all of Section 2 of the printed Bill.

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted.

Senator Greene of Stutsman moved that the Committee report be amended as follows:

“Insert the words ‘by lease’ after the word ‘transfer’ instead of after the word ‘license.’”

Which motion prevailed.

Senator Fowler moved that Senate Bill No. 160 be laid over until Senator Whelan returns.

Which motion prevailed.

The Committee on Taxes and Tax Laws made the following report:

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 167. A Bill for an Act to Reduce the Tax Burden on Property by Applying Moneys Received by County Treasurers for the Use of the County or the School Districts Therein From or Through the State Treasurer of the State of North Dakota or Any Other Source Other Than the Direct Payment of the Taxes as Spread on the Current or Prior Tax Rolls; and Moneys Accumulated Through Unexpended Balances; to the Reduction of the Tax Burden on Property.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted.

Senator Watt moved as a substitute motion that Senate Bill No. 167 be recommended for passage and placed upon the calendar.

Which motion was lost.

The question being on the motion of Senator Brostuen, the motion prevailed and the Committee report was adopted and Senate Bill No. 167 was indefinitely postponed.

The President announced that Senator Whelan had now returned and the motion of Senator Fine to amend Senate Bill No. 160 was in order.

Senator Fine moved that Senate Bill No. 160 be amended as follows:

Section 1, line 5 add the following language: "Provided however, that no lease shall be for a longer period than five years."

Which motion prevailed.

The question being on the adoption of the Committee report as amended, the motion prevailed, and Senate Bill No. 160 was recommended for passage.

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. 176. A Bill for an Act to Provide a System of State Control of the Purchase, Sale, Importation, Exportation, Transportation, Handling, Possessing, Dispensing, and Use of Alcohol and Alcoholic Beverages; to Create a Liquor Control Commission, and to Provide for the Sale of Alcohol and Alcoholic Beverages by Such Commission, to Provide for the Borrowing of Money From the Bank of North Dakota to Finance the Operation of the Commission; to Provide Penalties for Violation of the Provisions of This Act; to Continue in Force the Present Statutory Regulations Prohibiting the Manufacture, Sale, and Possession of Intoxicating Liquors, Except Insofar as the Same Are Inconsistent with the Provisions of This Act; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. K. BROSTUEN,
Chairman.

Senator Brostuen 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. 187. A Bill for an Act Imposing a Tax on Natural Gas, Providing Methods for Enforcing the Collection Thereof, and Making Pipe Line Companies Public Utilities.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. K. BROSTUEN,
Chairman.

Senator Brostuen 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. 189. A Bill for an Act Providing for the Better Collection of Taxes and Better Enforcement of Laws Relating to the Imposition and Collection of Taxes Now or Hereafter Imposed Upon Cigarettes, Snuff, Cigarette Papers, Beer and or Any Other Article or Product Now or Hereafter Taxed by a Stamp or Other Special Tax by the State of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

On page 3 of the printed bill, Section 3, line 2, after the word "wholesaler" insert the words "or manufacturer."

On page 3, Section 4, line 1, after the word "wholesaler" insert the words "or manufacturer."

On page 3, Section 4, line 7, after each word "wholesaler" insert the words "or manufacturer."

On page 4 of printed bill, line 13, after the word "wholesalers" insert the words "or manufacturers."

On page 4, line 16, after the word "wholesaler" insert the words "or manufacturer."

On page 4, Section 5, line 1, after the word "wholesaler" insert the words "or manufacturer."

On page 7, Section 11, line 1, after the word "wholesaler" insert the words "or manufacturer."

On page 8, subsection (j) after the word "any" insert the word "manufacturer" followed by a comma.

On page 9 of printed bill, following line 6 of Section 13, insert the following paragraphs:

"Section 14. If any State's Attorney, Sheriff, Justice of the Peace or other officer charged with the administration and enforcement of this Act, including specifically the enforcement of all penalties and claims against the bond given by any licensee hereunder, shall refuse or neglect to diligently prosecute any violations of any of the provisions of this Act or to enforce each and all of the provisions of this Act, such neglect or refusal or failure shall constitute grounds for removal from office and upon complaint made to the Governor by the Director or by five citizens of any political subdivision, the Governor shall direct the Attorney General to institute and carry on appropriate proceedings for the ouster from office of such official.

"Section 15. The Director is hereby authorized, directed and empowered to administer and enforce all of the provisions of this Act, and the rules and regulations made in pursuance thereof, including specifically the enforcement of all penalties and taxes against any bond given by any licensee hereunder. For the purposes of enforcing this Act the Di-

rector is hereby authorized to call to his aid and assistance any State's Attorney, Sheriff, Police Officer or other law enforcement officer of this state to prosecute all of the violators of any of the provisions hereof and the Chief of Police of all cities shall have the right to inspect any and all records and invoices pertaining to the purchase and sale of all merchandise covered by this Act in their respective cities at all reasonable hours.

"Section 16. No permit shall be issued to a retail licensee for the sale of cigarettes, snuff and cigarette papers under the provisions of this Act until he shall first have paid to the Director a mulct tax of \$5.00 as a license fee, for which amount a receipt shall be issued and the money paid to the State Treasurer."

On page 9 of the printed bill, renumber Section 14 as Section 17, and renumber Section 15 as Section 18.

And when so amended recommend that the bill do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen 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. 191. A Bill for an Act Directing and Requiring That All Monies Collected for Any License or Other Assessment or Tax or by Any Other Authority, and All Fees Received or Charged by Any Official or Person in the Employ of the State or Any Board, Bureau, Commission or Department of the State, or of Any County, City or Other Political Subdivision of the State Shall Be Paid Over, Respectively, to the State Treasurer, County Treasurer, City Treasurer or the Treasurer of Such Other Political Subdivision of This State and Credited to the General Fund, and Shall Be Expended Only Upon and Pursuant to Appropriation by the Proper Officials in the Same Manner That Monies Derived from Property Taxes Are Appropriated and Expended.

Have had the same under consideration, and in view of the creation of the Tax Survey Commission and that the subject matter of this Bill will undoubtedly be considered by such Commission, we move that this Bill be indefinitely postponed.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted.

Senator Watt moved as a substitute motion that Senate

Bill No. 191 be recommended for passage and be placed upon the Calendar.

Which motion was lost.

The question being on the motion of Senator Brostuen, the motion prevailed and the report was adopted, and Senate Bill No. 191 was indefinitely postponed.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 192. A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; Providing for the Printing of All Matters Coming Under Class 5 of State Printing; Providing for Each State Department of Office to Designate Newspaper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost Thereof and Repeal all Acts and Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 2, page 2 of the printed Bill, in line 6, after the "period" following the word "necessary," insert the following: "No newspaper or job printing shop awarded printing under this class shall be permitted to sublet same."

In Section 2, page 2 of the printed Bill, line 15, after the "period" following the word "furnished," insert the following: "Such cost and price so fixed shall not exceed the price and cost as provided for in the Franklin Printing Catalogue less 10 percent."

In Section 2, page 3 of the printed Bill, line 22, beginning with the word "Upon" strike out all of lines 22, 23, 24 and 25.

In Section 2, page 2, line 2 (of the printed Bill) after the words "printing of" insert the words "envelopes and letter-heads, used as stationery," and strike out the words "all matters" in said line 2.

Strike out all of Section 3 on page 3 of the printed bill.

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Whelan moved that the Senate do now adjourn.

Which motion prevailed.

FORTY-NINTH DAY

Senate Chamber,
Bismarck, North Dakota,
February 25, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. O. O. Andvik.

Roll Call: All Senators were present except Senators McGillic and Thatcher.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 25, 1935.

Mr. President: I have the honor to transmit herewith the following:

HOUSE CONCURRENT RESOLUTION NO. "A-16"

Which the House has adopted.

Also,

House Bill No. 300. A Bill for an Act to Amend and Re-enact Section 4609b6, of the Supplement to the Compiled Laws of North Dakota, Providing Enlarged Powers to Co-operative Marketing Associations in Connection with the Handling of Co-operative Products.

Also,

House Bill No. 48. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes Assessed and Levied for the Year 1933, and All Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partial Cancellation of the Original Amount of Such Taxes.

Also,

House Bill No. 256. A Bill for an Act Authorizing the County Commissioners to Purchase and Condemn Right of Ways.

Also,

House Bill No. 280. A Bill for an Act to Amend and Re-enact Section 9020 of the Compiled Laws of North Dakota for the Year 1913, Relating to Surety for Costs Where Plaintiff is a Non-resident of the State or a Corporation and Exempting from the Operation of Said Section Public Corporations of the State of North Dakota and Corporations That Are Instrumentalities or Agencies of the United States of America.

Also,

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5, of Chapter 235 of the Session Laws of 1929, as Amended by Chapter 297 of the Session Laws of 1931, Relating to Tax Levy, Limitations of Cities.

Also,

House Bill No. 265. A Bill for an Act to Cancel All Interest and Penalty, Levied and Assessed Against Delinquent Real Estate Taxes and Providing for Redemption of Real Estate Sold or Forfeited to the County for the Years 1933, and All Prior Years, and Still Held by the County, Without Paying Interest or Penalty, if Said Taxes Are Paid During the Year 1935; Repealing All Acts in Conflict Herewith.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 25, 1935.

Mr. President: I have the honor to return herewith the following:

SENATE CONCURRENT RESOLUTION NO. "P"

Also,

SENATE CONCURRENT RESOLUTION NO. "E"

Which the House has passed unchanged.

Also,

Senate Bill No. 79. A Bill for an Act to Amend and Re-enact Section 53, Chapter 148 of the 1931 Session Laws, Relating to Commercial Fishing, Application for License and Cost Thereof.

Which the House has indefinitely postponed.

Also,

Senate Bill No. 110. A Bill for an Act Declaring the Draining of a Meandered Lake Within the State of North Dakota to Be a Misdemeanor and Providing Penalties Therefor.

Also,

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 138 of the 1933 Session Laws of the State of North Dakota Relating to Hail Tax Refund.

Which the House has passed unchanged.

Also,

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1291, Compiled Laws of 1913, Concerning Elections in Independent School Districts, Placing Control Thereof in the Hands of the Board of Education, and Providing for Special Elections in Such Districts and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION NO. "R"

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 25, 1935.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 55. 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,

House Bill No. 56. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

Also,

House Bill No. 61. 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,

House Bill No. 339. A Bill for an Act Reducing, Defining and Limiting the Permanent Surplus Fund of the State Hail Insurance Department to Three Million (\$3,000,000) Dollars; Declaring the Reasons for Such Limitations Thereon; Providing the Manner of Disbursement and Refunding of Moneys in Excess of Said Sum; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

Also,

House Bill No. 286. A Bill for an Act to Amend and Re-enact Sections 396b1, 396b2, 396b4, 396b5 and 396b10 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to the Minimum Wage and

Hours for Women Workers; Transferring the Duties for the Enforcement of the Said Law From the Workmen's Compensation Bureau to the Department of Agriculture and Labor; Repealing All Acts and Parts of All Acts in Conflict With This Act and Declaring an Emergency.

Also,

House Bill No. 298. A Bill for an Act Requiring Safety Shatter-proof Glass in Automobiles, Taxis, Passenger and School Busses.

Also,

House Bill No. 313. A Bill for an Act Authorizing and Directing the Register of Deeds in the Various Counties to Remove From Their Files and Destroy Outlawed Seed Liens, Labor Liens, Stallion Liens, Chattel Mortgages, Conditional Sales and Crop Contracts Filed Prior to January 1, 1920, and by Reason of Failure of Renewal as by Statute Provided Have Become Outlawed; Requiring Records to be Kept.

Also,

House Bill No. 182. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 219 of the Session Laws of North Dakota of the Year 1923 (Section 3999, Subdivision 3, Supplement 1925.)

Also,

House Bill No. 202. A Bill for an Act Amending and Re-enacting Chapter 175, Session Laws of the State of North Dakota for the Year 1929.

Also,

House Bill No. 311. A Bill for an Act to Amend and Re-enact Section 470 of the Compiled Laws of the State of North Dakota for 1913 Being Section 13 of Chapter 189 Session Laws of 1911 Relating to Penalties for Violation of the Laws Concerning the Practice of Medicine and Surgery.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 25, 1935.

Mr. President: I have the honor to return herewith the following bills:

House Bill No. 86. A Bill for an Act Providing for the Organization of Credit Unions, the Incorporation Thereof, the Internal Regulation and Management of Same, Defining

Their Powers and Duties, Fixing the Number of Officers and Committees, Defining Their Powers, Tenure, Compensation and Duties, Providing for the Adoption and Amendment of By-Laws, Prohibiting the Use of the Term "Credit Unions" by Other Persons, Firms, Associations or Corporations, Defining Membership Therein, Regulating the Rights of Borrowers, Interest on Loans, Capital, Reserves, Loans, Security, Dividends, Fines, Expulsion and Withdrawal of Members, Dissolution, Change of Place of Business, Taxation of Property, Providing for Reports and Examinations, and Placing the Same Under the Supervision of the State Banking Board.

Also,

House Bill No. 176. A Bill for an Act Authorizing the Board of County Commissioners to Provide Room or Rooms in the Courthouse for the Exclusive Use of ex-Service Men Who Served in the Great World War.

Also,

House Bill No. 236. A Bill for an Act to Amend and Re-enact Section 409 of the Compiled Laws of North Dakota for 1913 as Amended by Chapter 105 of the Session Laws of North Dakota for 1929, Relating to Compensation of President, Vice President of the Board of Health and County Superintendent of Health, Mileage and Expenses, and Repealing All Acts in Conflict Therewith.

Also,

House Bill No. 243. A Bill for an Act Permitting Deduction of Personal Property Taxes Due and Delinquent from Claims, Demands, Salaries, and Wages Due from Counties; Prescribing Duties of County Auditor in Connection Therewith; Giving Such Deduction Priority Over Any Sale, Transfer or Assignment of Such Claim, Demand, Salary and Wage; Repealing Section 4227 of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 57. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repair and Equipment of the State School of Science at Wahpeton, North Dakota.

Also,

House Bill No. 95. A Bill for an Act Legalizing and Validating All Publications and Posting of Tax Sale Notices and Tax Sale Certificates Based Thereon Which Notices Have Been Posted or Published Prior to January 1st, 1935.

Also,

House Bill No. 299. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 206 of the 1933 Session Laws of the State of North Dakota, Providing for the Sale of Personal

Property or Chattels Ordered Sold by Judicial Action; Providing for the Publication of Notice of Sale, Repealing Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 295. A Bill for an Act Prohibiting Real Estate and Chattel Mortgages Given to Secure the Purchase or Contract Price of Personal or Real Property from Including or Creating a Lien on Any Real or Personal Property Other Than the Property Purchased for Which Said Mortgage is Given to Secure; Invalidating Real and Chattel Mortgages Given in Violation of This Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also:

House Bill No. 355. A Bill for an Act Making an Appropriation to Provide for Payment of a Deficit in the Amount Appropriated for Payment of Per Diem of Employees of Twenty-fourth Legislative Assembly.

Also,

House Bill No. 54. 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.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 25, 1935.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 59. 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, North Dakota.

Also,

House Bill No. 261. A Bill for an Act to Amend and Re-enact Section 2202 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Giving Notice of the Expiration of the Period of Redemption on Property Forfeited to the County at Tax Sales, Issuance of Tax Deeds to County and Sale by County of Property Acquired by Tax Deed, as Said Section is Amended by Chapter 226 of the Session Laws of 1927 Insofar as it Relates to Sub-division 6 of Said Amended Chapter.

Which the House has passed and your favorable consideration is respectfully requested.

Also return:

SENATE CONCURRENT RESOLUTION A-c

Also,

SENATE CONCURRENT RESOLUTION U

Which the House has adopted unchanged.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-fourth day after recess and the Forty-fifth day and found same to be correct.

And recommend that the same be approved.

R. A. OWINGS,
Chairman.

Senator Owings moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A petition presented by Senator Handley, signed, Hans Widmer and two others, opposing House Bill No. 7.

A petition presented by Senator Fredrickson, signed, Kenneth McGregor, President of the North Dakota Livestock Association, listing objections to the Weighing and Grading Bill.

Referred to the Committee on Agriculture.

A petition presented by Senator Gronvold, signed, Oswald Selland, Chairman of the Board of County Commissioners, in regard to taxation.

A petition presented by Senator Fredrickson, signed, Elvera Peterson, asking that the Mayville State Teachers' College remain open.

A petition presented by Senator Fredrickson on the same subject, signed, The Faculty of the Mayville State Teachers' College.

A petition presented by Senator Crandall, signed, Julia Shea and eight others, in support of the institutions of higher learning.

A petition presented by Senator Crandall, carrying 32 signatures in support of institutions of higher learning.

A petition presented at the desk, signed, E. D. Holme and 70 others of Havana, protesting the closing of any of the State educational institutions.

A petition presented by Senator Topp, signed, A. W. Hull and seven others, protesting the closing of any state educational institutions.

A petition presented by Senator Marshall, carrying 246 signatures, of those opposed to closing the Ellendale State Normal.

A petition presented by Senator Young, signed, Mrs. A. E. Powers and nine others asking an appropriation for the Ellendale Normal.

A petition presented by Senator Crandall, signed, R. L. McNally and fifty others in favor of keeping all state educational institutions open.

Two petitions presented by Senator Fine, signed, C. Theodore Rye and sixty-one others, asking that the Mayville State Teachers College remain open.

A petition presented by Senator N. N. Nelson, signed, G. R. Montgomery and twenty-six others in support of the Mayville State Teachers College.

A petition presented by Senator Marshall, signed, E. F. Bossingwaite and forty-two other citizens of Oakes, asking an appropriation for State Educational Institutions.

A petition presented by Senator Handley, signed, W. E. Barry and fifty-three others in favor of keeping all educational institutions of the state open.

A petition presented by Senator Young, signed, Alma Smith and thirty-seven others in support of the Ellendale Normal.

Referred to the Committee on Taxes and Tax Laws.

A petition presented by Senator Fredrickson, signed, the North Dakota State Federation of Labor, asking support of Senate Bill No. 275.

A petition presented by Senator Fredrickson, signed, by five labor associations of the state, asking passage of Senate Bill No. 198.

A petition presented at the desk regarding a bill providing for a restitution officer.

A petition presented by Senator Peterson, signed, Usher L. Burdick, asking that the Securities Commission make provision for refunding subscribed stock in loan companies to the subscriber at the time the loan is paid.

A petition presented by Senator Cain, signed, Franz Frank, in support of Senate Concurrent Resolution "S."

A like petition presented by Senator Crandall from the same source.

Referred to the Committee on State Affairs.

A petition presented by Senator Fredrickson, signed, J. N. Johnson and seventeen others, asking for a correspondence course in high school subjects.

A petition presented by Senator Kroeber, signed, D. C. Eslinger and nineteen other Logan County citizens regarding educational legislation.

A petition presented by Senator Greene of Cavalier, signed, Ione Thompson and nineteen others, regarding education.

Referred to the Committee on Education.

A petition presented by Senator Greene of Stutsman, signed, Wm. Krekow and 108 others, in opposition to hard liquor.

A group of petitions presented by Senator Whelan, signed by the following: Rev. S. J. Brooks, Rev. E. J. Schroeder, Rev. Leonard H. Prentice and others, all of Cavalier.

Referred to the Committee on Temperance.

A telegram presented by Senator Lowe, signed, Geiger Brothers, Kenmare, in opposition to Senate Bill No. 303.

Referred to the Committee on Highways.

A resolution presented by Senator Cain, signed, Evelyn Omlett and twenty-three others, of the Alumni Association of the University of North Dakota, asking for the approval of the University budget.

Referred to the Committee on Appropriations.

A resolution presented by Senator Jones, signed, C. A. Waldron, Secretary of the Minot Taxpayers' Association, regarding municipal government.

Referred to the Committee on Cities and Municipal Corporations.

REPORT OF STANDING COMMITTEES

A minority of the Committee on State Affairs made the following report:

Mr. President: A minority of Your Committee on State Affairs to whom was referred:

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, Sub-Section (b) of Section 4, and Section 13 of Chapter 215, Session Laws of 1931.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. WHELAN,
J. P. CAIN,
A. F. BONZER, Jr., Chairman.

A majority of the Committee on State Affairs made the following report:

Mr. President: A majority of Your Committee on State Affairs to whom was referred:

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, Sub-section (b) of Section 4, and Section 13 of Chapter 215, Session Laws of 1931.

Have had the same under consideration and recommend that the same be amended as follows:

On page 5 of the printed Bill, line 39, strike out the words "or for each identification card," and insert in lieu thereof the following words: "for a branch house."

In line 40, page 5 of the printed Bill, change the "period" to a "comma" and insert the following words "and for each identification card for an itinerant buyer or vendor the fee shall be One Dollar (\$1.00)."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
O. E. ERICKSON,
HARRY PETERSON,
GUST WOG,
ALEX LIND,
A. W. FOWLER,
E. E. GREENE,
W. S. HANDLEY.

Senator Bonzer moved that the report of the minority be adopted.

Senator Brostuen moved as a substitute motion that the word "majority" be substituted for the word "minority."

Which motion prevailed and Senate Bill No. 100 was recommended for passage as amended.

The President pro tem. called Senator Cain to the chair to preside.

A majority of the Committee on State Affairs made the following report:

Mr. President: A majority of Your Committee on State Affairs to whom was referred:

Senate Bill No. 101. A Bill for an Act to Establish a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Regulating the Sale and Distribution of the Same, Defining Certain Terms, Designating Standard

Grades, Providing for an Inspection Service and for the Fixing of Fees and Other Charges and the Disposition of the Same, Defining Violations and Providing Penalties Therefor, Defining Certain Cooperative Functions, Charging Carriers with Certain Responsibilities, Providing for Enforcement and Prosecution, Providing for Effect of Partial Invalidity, and Providing for Administration of the Act Through the State Seed Commissioner and Giving Him Authority to Make Necessary Rules and Regulations, and to Administer Oaths, and to Have Free Access and Power of Seizure, and Providing for Supersedence of This Act.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 3, of the engrossed Bill, line 12, after the word "potatoes" strike out the word "It" in said line 12, and all of lines 13, 14, 15, 16, 17, 18, and the words "by the Commissioner" in line 19.

In Section 5 of the engrossed Bill, subsection (a), line 8, after the word "thereof," strike out the remainder of said subsection (a) and insert in lieu thereof the following: "Provided that potatoes which shall be labeled 'unclassified' need be merely checked out as such, without the regular inspection."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
O. E. ERICKSON,
HARRY PETERSON,
GUST WOG,
ALEX LIND,
E. E. GREENE,
A. A. TROVATTEN,
A. W. FOWLER,
A. F. BONZER, Jr., Chairman.

A minority of the Committee on State Affairs made the following report:

Mr. President: A minority of Your Committee on State Affairs to whom was referred:

Senate Bill No. 101. A Bill for an Act to Establish a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Regulating the Sale and Distribution of the Same, Defining Certain Terms, Designating Standard Grades, Providing for an Inspection Service and for the Fixing of Fees and Other Charges and the Disposition of the Same, Defining Violations and Providing Penalties Therefor, Defining Certain Cooperative Functions, Charging Carriers with Certain Responsibilities, Providing for Enforcement and Prosecution, Providing for Effect of Partial Invalidity, and Providing for Administration of the Act Through the State Seed Commissioner and Giving Him Authority to Make Necessary Rules and Regulations, and to Administer Oaths, and to Have Free Access and Power of Seizure, and Providing for Supersedence of This Act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. WHELAN,
J. P. CAIN

Senator Brostuen moved that the report of the majority be adopted. Which motion prevailed, and Senate Bill No. 101 was recommended for passage as amended.

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. 77. A Bill for an Act Amending Section 1674 of the Compiled Laws of North Dakota, 1913, Relating to School of Forestry of Bottineau, North Dakota, Limiting the Object of Said School, and Permitting, Under Supervision of the Board of Administration, the Use by the North Dakota State Tuberculosis Sanatorium of Part of Its Grounds and Buildings Not Exclusively Used and Necessary for Such Object, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2 of the printed bill, strike out all of Section 2.

On page 3 of the printed bill, line 1, strike out the figure "3" and insert in lieu thereof the figure "2."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted.

Senator Erickson moved that Senate Bill No. 77 be placed at the foot of the calendar.

Senator Stucke moved as a substitute motion that further consideration of Senate Bill No. 77 be indefinitely postponed.

Which motion prevailed.

Senator Watt moved that the vote by which Senate Bill No. 77 was indefinitely postponed be reconsidered.

Which motion prevailed.

Senator Drew moved that Senate Bill No. 77 be amended as follows:

In line 5, Section 1, strike out the words "Courses of study;" in line 7 strike out the words "teaching the science and art of horticulture."

Senator Stucke moved as a substitute motion that further

action on the Committee report on Senate Bill No. 77 be deferred until Senator Thatcher returned to the Senate.

Which motion prevailed.

The Committee on Ways and Means made the following report:

Mr. President: Your Committee on Ways and Means to whom was referred:

Senate Bill No. 78. A Bill for an Act Providing for Relief of Unemployment, Organization of Industry, Removal of Burdens From and Obstructions to the Free Flow of Commerce, for the Establishment of Codes of Fair Competition Within the State of North Dakota to Provide for the General Welfare of Our People, and to Encourage State and National Recovery by Cooperating With the National Government in Fostering and Enforcing Codes of Fair Competition, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

GUST WOG,
Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

A Majority of the Committee on Banks and Banking made the following report:

Mr. President: A Majority of your Committee on Banks and Banking to whom was referred:

Senate Bill No. 28. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of the State of North Dakota, as Amended by Chapter 274, Session Laws of 1927 and as amended by Chapter 140 of the Session Laws of 1913, Defining Usury.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2, Section 1, line 11 of the printed bill, strike out the word "five" and insert in lieu thereof the word "six."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
JOHN L. MIKLETHUN,
HARRY PETERSON,
O. E. ERICKSON,
ALEX LIND,
C. W. FINE, Chairman.

A Minority of the Committee on Banks and Banking made the following report:

Mr. President: A Minority of your Committee on Banks and Banking to whom was referred:

Senate Bill No. 28. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of the State of North Dakota, as Amended by Chapter 274, Session Laws of 1927 and as amended by Chapter 140 of the Session Laws of 1913, Defining Usury.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2, Section 1, line 11 of the printed bill, strike out the word "five" and insert in lieu thereof the word "seven."

And when so amended recommend the same do pass.

A. W. FOWLER,
J. P. CAIN,
WM. WATT,
G. A. JONES,
T. E. WHELAN.

Senator Fine moved that the report of the Majority be adopted.

Senator Fowler moved as a substitute motion that the word "Minority" be substituted for the word "Majority."

Senator Fowler demanded a call of the Senate.

Roll call: All Senators were present except Senators Bonzer and Thatcher.

The Sergeant-at-Arms was instructed to bring the absent Senators to the Senate Chamber.

Senator Erickson moved that Senator Thatcher be excused from the call of the Senate.

Senator Fowler moved that the call of the Senate be suspended.

Which motion prevailed.

Senator Fowler demanded a roll call.

Which was granted.

ROLL CALL

The question being on the substitute motion of Senator Fowler that the Minority report be adopted, 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.
Cain	Gronvold	Strehlow
Coffey	Jones	Trovatten
Crandall	Kroeber	Watt

Messrs.	Messrs.	Messrs.
Drew	Lowe	Whelan
Eastgate	Lynn	Young
Fowler	Nelson, Grand Fks.	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Mutchler
Braaten	Kamrath	Nelson, Barnes
Brostuen	Kolpin	Owings
Dubay	Lemke	Peterson
Erickson	Lind	Stucke
Ettestad	Marshall	Thorson
Fine	Matthaei	Topp
Fredrickson	McDonald	Trout
Greene, Cavalier	McGillic	Vinje
Greene, Stutsman	Miklethun	Wog
Handley		

Absent and not voting:

Messrs.
Thatcher

So the motion was lost.

The question being on the motion of Senator Fine for the adoption of the Majority report, the motion prevailed and the Majority report was adopted, and Senate Bill No. 28 was recommended for passage, as amended, to change the word "five" to the word "six" in line 11 of Section 1.

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. 165. A Bill for an Act to Amend and Re-enact Section 3262 of the Compiled Laws of North Dakota for 1913, Relating to Re-districting Counties Into Commissioner Districts, Petition of Voters and Election Therefor, Question—How Submitted to Voters, and Repealing All Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2 of the printed Bill, in line 12, after the word "districts" insert the following: "which petition shall state the boundaries of the proposed districts."

On page 2 of the printed Bill, line 25, after the word "districts" strike out the "period" and insert the following: "in accordance with the boundaries stated in the petition."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

A Minority of the Committee on Appropriations made the following report:

Mr. President: A Minority of your Committee on Appropriations to whom was referred:

Senate Bill No. 188. A Bill for an Act Creating a North Dakota Game and Fish Department Under the Control and Supervision of the Game and Fish Commission of North Dakota, Defining the Powers and Duties of the Commission, Transferring to the Commission Certain Powers and Duties and Repealing Chapter 130 of the 1929 Session Laws, Chapter 120 of the 1933 Session Laws and All Other Acts and Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

In lines 20 and 21 of Section 3 of the printed bill, strike out the following language and figures, "Three Thousand (\$3,000.00)" and insert in lieu thereof the following, "Twenty-four Hundred (\$2,400.00)."

In line 6 of Section 6 of the printed bill after the word "Act" strike out the rest of the Section and add a period.

And when so amended recommend the same do pass.

W. S. HANDLEY,
A. S. MARSHALL,
E. C. STUCKE.

A Majority of the Committee on Appropriations made the following report:

Mr. President: A Majority of your Committee on Appropriations to whom was referred:

Senate Bill No. 188. A Bill for an Act Creating a North Dakota Game and Fish Department Under the Control and Supervision of the Game and Fish Commission of North Dakota, Defining the Powers and Duties of the Commission, Transferring to the Commission Certain Powers and Duties and Repealing Chapter 130 of the 1929 Session Laws, Chapter 120 of the 1933 Session Laws and All Other Acts and Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

ED GREENE,
J. E. EASTGATE,
ALBERT DUBAY,
WM. WATT,
F. T. GRONVOLD,
A. A. TROVATTEN,
L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted.

Senator Handley moved as a substitute motion that the word "Minority" be substituted for the word "Majority."

Senator Miklethun demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the substitute motion of Senator Handley that the minority report to amend Senate Bill No. 188, be adopted, 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.
Bonzer	Lemke	Peterson
Erickson	Lynn	Stucke
Fine	Marshall	Thorson
Fowler	Matthaei	Trout
Handley	McDonald	Vinje
Kamrath	McGillie	Whelan
Kolpin	Mutchler	Young
Kroeber		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Fredrickson	Nelson, Barnes
Brostuen	Greene, Cavalier	Nelson, Grand Fks.
Cain	Greene, Stutsman	Owings
Coffey	Gronvold	Strehlow
Crandall	Johnson	Topp
Drew	Jones	Trovatten
Dubay	Lind	Watt
Eastgate	Lowe	Wog
Ettestad	Miklethun	

Absent and not voting:

Messrs.
Thatcher

So the motion was lost.

The question being on the motion of Senator Fredrickson for the adoption of the Majority report, the motion prevailed and the Majority report was adopted, and Senate Bill No. 188 was indefinitely postponed.

Senator Watt moved that the vote by which Senate Bill No. 188 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Senator Stucke demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the motion of Senator Watt, the roll was called and there were ayes, 19; nays, 29; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Brostuen	Gronvold	Nelson, Grand Fks.
Cain	Jones	Strehlow
Coffey	Lind	Topp
Crandall	Lowe	Trovatten
Drew	Miklethun	Watt
Eastgate	Nelson, Barnes	Wog
Fredrickson		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Mutchler
Braaten	Kamrath	Owings
Dubay	Kolpin	Peterson
Erickson	Kroeber	Stucke
Ettestad	Lemke	Thorson
Fine	Lynn	Trout
Fowler	Marshall	Vinje
Greene, Cavalier	Matthaei	Whelan
Greene, Stutsman	McDonald	Young
Handley	McGillic	

Absent and not voting:

Messrs.
Thatcher

So the motion was lost.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 25, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 97. A Bill for an Act Relating to Re-funding Special Improvement Warrants, Repealing Chapter 195 of the Session Laws of North Dakota for 1927 as Amended and Re-enacted by Chapter 178 of the Session Laws of North Dakota for 1929 and All Other Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 112. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Stenographers, and Clerkhire, Express and Freight, Postage, Telegrams and Telephones, Office Supplies, Printing, Traveling Expenses,

and Miscellaneous Expenses of the State Geological Survey, and Declaring an Emergency.

Also,

Senate Bill No. 125. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Several Counties to Remove from the Tax Rolls and Declare as Exempt from Taxation All Inundated Land Upon Which the Owner Thereof Has Granted or Shall Hereafter Grant to the United States of America, Its Instrumentalities or Agencies, a Permanent Easement for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Such Inundated Lands Shall Remain Exempt Until Such Time as the Water and/or Wildlife Conservation Projects Shall Have Been Abandoned, Providing That Such Power to Remove from the Tax Rolls or Declare as Exempt Shall Not Attach Until Such Time as the Construction of the Water and/or Wildlife Conservation Projects Shall Have Been Completed, and Declaring an Emergency.

Also,

Senate Bill No. 126. A Bill for an Act Declaring All Water and/or Wildlife Conservation Projects, Including Wildlife Reservations, to Be a Public Purpose, Providing That All Lands Within the Ordinary High-water Mark of Navigable Lakes Shall Be Under the Control of the State, Under Its Police Power, for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Authority and Control Over Such Lands Shall Be Vested in the State Engineer, Defining the Term "Ordinary High-water Mark," Providing That All Meandered Lakes Shall Be Declared to Be Navigable Within the Meaning of This Act, Providing a Saving Clause, Repealing All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION M

Also,

SENATE JOINT RESOLUTION F

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

REPORT OF STANDING COMMITTEES

The Committee on Taxes and Tax Laws made the following report:

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Section 13 of Chapter 235, Session Laws of 1929, Relating to Authorization of Excess Tax Levies.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 198. A Bill for an Act Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be amended as follows:

At the end of Section 1 of the "engrossed bill," after the word "office," strike out the "period" and insert in lieu thereof a "semi-colon" and add the following: "provided, however, that the provisions of this Act shall not apply to the fire department of any city, and members of the police department shall not work more than eight hours per day nor more than fifty-six hours per week, except in case of an emergency."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 202. A Bill for an Act Providing for the Creation of Power Districts; Prescribing Powers and Duties of Such Districts; and Authorizing Such Districts to Conduct and Operate Utilities for the Production, Transmission or Distribution of Electric Energy, and to Issue Bonds and Providing for the Payment of Such Bonds.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 196 of the Laws of North Dakota, 1927, in Relation to the Levy of Taxes to Pay the Principal of and Interest on Bonds Issued by Municipalities Which Are Further Sustained by Revenue of a Revenue-Producing Utility, Industry, or Enterprise.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the title of the printed bill, after the word "Dakota," strike out the "comma" and insert the words "for the year."

In line 5 of the title, after the word "enterprise," strike out the "period" and insert a "comma" in lieu thereof and add the following words: "and declaring an emergency."

In Section 1 of the printed bill, in line 2, after the word "Dakota," strike out the "comma" and insert the words: "for the year."

In Section 2, on page 2 of the printed bill, in line 1 after "Section 2," insert the word "EMERGENCY.)"

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 204. A Bill for an Act Simplifying the Procedure for the Construction and Financing of Public Works Projects by Municipalities, Enabling Municipalities to Make and Perform Contracts with Federal Agencies Relating to the Construction and Financing of Such Projects and Conferring Additional Powers Upon Municipalities and for Other Purposes.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Subsection 2 of Section 2 and Section 5 of Chapter 179 of the Session Laws of North Dakota, 1933, Authorizing the Execution of a Mortgage or a Deed of Trust to Secure Mortgage Bonds and Making Such Bonds Negotiable.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 206. A Bill for an Act Creating the Rural Electrification Authority of North Dakota for the Purpose of Promoting and Encouraging the Fullest Possible Use of Electric Energy in the State by Making Electric Energy Available to Certain Inhabitants of the State at the Lowest Cost Consistent With Sound Economy and Prudent Management; Authorizing the Authority to Sell and Distribute Electric Energy and to Construct or Otherwise Acquire a System or Systems for the Generation, Transmission and Distribution of Electric Energy to Carry Out the Purposes of This Act; Providing for the Rights, Powers and Duties of the Authority; Authorizing and Regulating the Issuance of Bonds by the Authority; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 207. A Bill for an Act Providing for the Formation of Non-profit Membership Corporations to Be Known as Electric Membership Corporations for the Purpose of Promoting and Encouraging the Fullest Possible Use of

Electric Energy in the State by Making Electric Energy Available to the Inhabitants of the State at the Lowest Cost Consistent With Sound Economy and Prudent Management of the Business of Such Corporations; Providing for the Rights, Powers and Duties of Such Corporations; Authorizing and Regulating the Issuance of Bonds by Such Corporations; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 208. A Bill for an Act Providing for the Acquisition, Purchase, Construction, Reconstruction, Improvement, Betterment, Extension, Operation, and Maintenance of Revenue-producing Undertakings by Any City, Incorporated Town or Village; Authorizing and Regulating the Issuance of Revenue Bonds for Financing Such Undertakings; and Providing for the Payment of Such Bonds and the Rights of Holders Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 209. A Bill for an Act to Amend Section 17 of Chapter 196, Session Laws of North Dakota for the Year 1927, Authorizing the Private Sale of Bonds to the United States of America or Any Agency or Instrumentality Thereof Without Public Advertisement.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 210. A Bill for an Act Providing That Any City or County Which Owns a Revenue-producing Utility May Serve Beyond its Corporate Limits and to and Within Other Cities or Towns and Villages for Public and Private Uses; and May Enter Into Agreement With Such Other Cities or Towns and Villages for Such Service; Providing for Reasonable Rates; and Providing That the Railroad Commission and Other Governmental Agencies Shall Not Have Supervision Over Such Rates and Services.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 211. A Bill for an Act to Authorize Cities, Towns, and Incorporated Villages, and the State, its Subdivisions and Agencies to Cooperate With Housing Authorities and the United States of America by Rendering Services, Conveying or Leasing Property and Providing for Streets, Roads and Other Facilities; and to Declare an Emergency Requiring That This Act Take Effect From the Date of its Passage.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 212. A Bill for an Act Validating, Ratifying, Approving and Confirming Bonds, Warrants and Other Instruments or Obligations Heretofore Issued by Public Bodies of This State for the Purpose of Financing in Whole or in Part Public Works Projects.

Have had the same under consideration and recommend that the same be amended as follows:

In the title after the word "Act" in the last line, of the printed Bill, strike out the "period" and insert a "comma" in lieu thereof and add the following words "and declaring an emergency."

At the end of the printed Bill, on page 3, insert another Section numbered 5, as follows:

"Section 5. EMERGENCY.) This Act is hereby declared an emergency measure and shall be in full force and effect from and after the date of its passage and approval."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 213. A Bill for an Act Providing for the Incorporation of Improvement Authorities; Prescribing the Powers and Duties of Such Authorities; and Authorizing Such Authorities to Engage in the Enterprise of Furnishing Water, Sewerage, Gas or Electric Heat, Light or Power Services, and to Issue Bonds, and Providing for the Payment of Such Bonds.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 214. A Bill for an Act to Authorize Corporate Agencies of the United States and Corporations Receiving Aid from the United States to Exercise the Power of Eminent Domain to Acquire Property for Housing Projects; and to Declare an Emergency Requiring That This Act Take Effect from the Date of Its Passage.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 215. A Bill for an Act to Declare the Necessity of Creating Public Bodies, Corporate and Politic, to Be Known as Housing Authorities to Engage in Slum Clearance and/or projects to Provide Dwelling Accommodations for Persons of Low Income; to Provide for the Creation of Such Housing Authorities; to Define the Powers and Duties of Housing Authorities and to Provide for the Exercise of Such Powers, Including Acquiring Property by Purchase, Gift or Eminent Domain, and Including Borrowing Money, Issuing Revenue and Credit Bonds and Other Obligations, and Giving Security Therefor; to Confer Remedies on Obligees of Housing Authorities; to Provide That the Bonds of the Authority Shall Be Legal Investments; to Provide That Housing Authorities, Their Property and Securities Shall Be Tax Exempt; and to Declare an Emergency Requiring That This Act Take Effect from the Date of Its Passage.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 216. A Bill for an Act Amending and Re-enacting Section 16 of Chapter 196 of the Laws of North Dakota for 1927, and Relating to the Execution, Registration, Certification and Delivery of Bonds Issued by a Municipality.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2 of the title in the printed Bill, after the word "for" insert the words, "the year."

In line 2 of Section 1 of the printed Bill, after the word "for" insert the words, "the year."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 217. A Bill for an Act to Amend and Re-enact Chapter 220, Session Laws of the State of North Dakota for the year 1933, Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Summary Reduction of the Same, Relating to Hearings, and Investigations; and Relating to Valuation and/or Revaluation of Property of Public Utility Companies and Corporations by the Board of Railroad Commissioners; Relating to Payment of Expenses of Such Hearings, and Investigations, and Valuations and/or Revaluations and the Methods of Assessing and Collecting the Same; and Repealing All Acts or Parts of Acts in Conflict Herewith; and Making an Appropriation for the Valuation by Board of Public Commissioners of the Property of the Public Utilities, Subject to the Provisions of Chapter 192 of the Session Laws of 1919; Creating a Revolving Fund.

Have had the same under consideration and recommend that the same be amended as follows:

In line 15 of the title in the printed Bill, strike out the "period" after the word "Fund" and insert in lieu thereof a "comma," and add the following words: "and declaring an emergency."

On page 3, line 23 in the printed Bill, after the word "filed" add the words, "or made."

On page 4, line 20 in the printed Bill, after the word "earnings," strike out the words "of said utility" and insert in lieu thereof the words, "of the service or department being investigated."

On page 7, Section 8, line 9 of the printed Bill, after the word "fund" add the words and figures: "in addition to the sum of \$25,000 hereby appropriated."

On page 7, Section 9, line 5 of the printed Bill, strike out the word "Acts" and insert in lieu thereof the word "proceedings." After the word "taken" add the words "and had."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Greene of Stutsman moved that the Committee report on Senate Bill No. 217 be amended as follows:

In line 7, page 3, Section 3, strike out the word "its" and insert the words "said utility."

Which motion prevailed.

Senator Greene of Stutsman moved that the report as amended be adopted.

Which motion prevailed and the report was adopted.

Senator Erickson moved that Senate Bill No. 217 be placed on the calendar without reference to the Committee on Appropriations.

Which motion prevailed.

The Committee on Cities and Municipal Corporations made the following report:

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

Senate Bill No. 221. A Bill for an Act to Amend and Re-enact Section 3583 of the Compiled Laws of North Dakota for 1913, as Amended by Section 2 of Chapter 167 of the Session Laws of the State of North Dakota for 1933, Relating to Terms of Office of Aldermen, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

G. A. JONES,
Chairman.

Senator Jones moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Cities and Municipal Corporations made the following report:

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

Senate Bill No. 222. A Bill for an Act to Amend and Re-enact Section 4058 of the Compiled Laws of North Dakota for 1913, as Amended by Section 1 of Chapter 180 of the Session Laws of the State of North Dakota for 1929, Relating to the Organization of a Board of Park Commissioners, Defining the Qualifications, Mode of Election and Term of Office of Such Commissioners and Prescribing the Manner of Filling Vacancies of Said Board, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

G. A. JONES,
Chairman.

Senator Jones moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Cities and Municipal Corporations made the following report:

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

Senate Bill No. 223. A Bill for an Act to Amend and Re-enact Section 3666 of the Compiled Laws of North Dakota for 1913, Relating to the Time, Place and Manner of Holding City Elections in Cities Under the City Council Form of Government, and Providing That Elective Officers Serve Until Their Successors Are Elected and Qualify, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

G. A. JONES,
Chairman.

Senator Jones moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

Mr. President: Your Committee on Banks and Banking to whom was referred:

Senate Bill No. 252. A Bill for an Act Providing for the Speedy Liquidation of Insolvent Banks, Providing Procedure for Liquidating and Closing Receiverships of Insolvent Banks, Granting Additional Powers to the Supreme Court and Directing the Procedure to Be Had by Said Court and Defining the Powers and Duties of the Supreme Court in Bank Receiverships.

Have had the same under consideration and recommend that the same be amended as follows:

On page 3, at the end of Section 2 of the printed Bill, add the following paragraph: "The Bank of North Dakota is hereby authorized and empowered to purchase the assets of any bank, Savings Bank, or Trust Company, incorporated under the laws of North Dakota, which has been closed and the affairs of which have not been fully liquidated or wound up upon such terms and conditions as the Industrial Commission may prescribe.

The provisions herein granted are in addition to those already possessed by the Bank of North Dakota.

On page 4 of the printed Bill, strike out all of Section 7.

And when so amended recommend the same do pass.

C. W. FINE,
Chairman.

Senator Fine moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 257. A Bill for an Act to Amend and Re-enact Section 1372a of Article 17 of Chapter 12 of the Compiled Laws of North Dakota 1913 Providing for Citizenship of Teachers and Requiring Oath to Support the Constitution of the State of North Dakota and Constitution of the United States of America.

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.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 258. A Bill for an Act to Amend and Re-enact Section 3839, of the 1913 Compiled Laws of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer 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. 303. A Bill for an Act to Amend and Re-enact Chapter 166 of the Session Laws of 1929 as the Same Amends and Re-enacts Sections 2, 3, 4, 5, and 6 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; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; 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 be indefinitely postponed.

J. K. BROSTUEN,
Chairman.

Senator Brostuen 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. 262. A Bill for an Act Temporarily Extending the Time in Which Redemption May Be Made from Tax Sales and Extending the Time in Which Holders of Tax Sales Certificates May Present the Same for Obtaining Tax Deeds, and Extending the Time in Which Tax Deeds May Be Obtained, and Declaring an Emergency and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Military Affairs made the following report:

Mr. President: Your Committee on Military Affairs to whom was referred:

Senate Bill No. 263. A Bill for an Act to Amend and Re-enact Sections 2350, 2412 and 2417 of the Compiled Laws of North Dakota of the Year 1913 Relating to the Military Code of the State of North Dakota; Defining Military Forces; Providing a Board of Armory Supervisors and Defining the Powers Thereof; Fixing the Pay and Allowances of Enlisted Men on Active Duty and Further Providing for the Appointment of an Assistant Adjutant General, His Powers and Duties; The Appointment of a Disbursing Officer, His Powers and Duties; Requiring Officers to Furnish Bonds; Providing Punishment for False Certificates or Returns and for the Misuse of Funds or Property; Providing that State and Municipal Officers and Employees Shall Not Lose Pay While on Duty; Giving Troops Power to Act Outside of Occupied Territory; Providing for the Service of Process of Military Courts; Providing that the Invalidation of a Portion of This Act Shall Not Invalidate the Remainder Thereof and Repealing Sections 2392, 2421, 2432b and 2434 of the Compiled Laws of North Dakota of the Year 1913 and Sections 2423a and 2442a of the 1925 Supplement to the Compiled Laws of North Dakota of the Year 1913 and All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

HARRY C. LYNN,
A. F. BONZER, Jr.,
W. S. HANDLEY,
T. E. WHELAN,
HARRY PETERSON,
B. W. LEMKE, Chairman.

Senator Lemke moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 269. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by "Company G" 1st Regiment North Dakota National Guard Training School, a Corporation, as Mortgagor, to the State of North Dakota, Dated January 25th, 1909, Filed for Record in the Office of the Register of Deeds of Barnes County, North Dakota, on April 9th, 1909, at Two O'Clock, P. M. and Recorded in Book 43 of Mortgages on Page 3, and Covering Lot Sixteen (16) and the North Half (N½) of Lot Seventeen (17) in Block Seventeen (17) of the Original Plat of Valley City, North Dakota.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer 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. 271. A Bill for an Act Empowering the Board of County Commissioners to Abate, Cancel or Reduce Personal Property Taxes Upon Evidence Satisfying Said Commissioners of the Unjustness of the Assessment of Taxes; Providing a Manner Through Which the Same May Be Done.

Have had the same under consideration and recommend that the same be amended as follows:

In line 4 of the title of the printed bill strike out the period and insert a semi-colon and the following words: "and Declaring an Emergency."

In line 14, Section 1, page 2, after the word "remainder"

strike out the period and insert a comma and the following language: "provided, however, that no cancellation, reduction or compromise shall be made until approved by a District Judge."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways made the following report:

Mr. President: Your Committee on Highways to whom was referred:

Senate Bill No. 273. A Bill for an Act to Appropriate the Sum of One Thousand Dollars (\$1,000.00) From Any Moneys in the State Highway Fund for the Purpose of Making a Preliminary Survey and Soundings for the Construction of a Bridge Across the Little Missouri River at or Near the Intersection of the Little Missouri River With the Trail Passing South of Independence and Crossing Section Twenty-seven (S. 27), Township One Hundred Forty-eight (T. 148), Range Ninety-one (R. 91) Dunn County, North Dakota, Approximately Four Miles Northwest of the Fort Berthold Bridge, Also Known as the Four Bears Bridge, Under the Provisions of Chapter Seventy-three (73) of the Laws of North Dakota for the year Nineteen Hundred Nineteen (1919) (Sections 1952a1 and 1952a2 of the 1925 Supplement to the Compiled Laws of 1913) as Amended and Re-enacted by Chapter 161, Laws of 1927, as Amended and Re-enacted by Chapter 140 of the Laws of 1929, and Directing the State Highway Commissioner Forthwith to Designate Said Trail as a Feeder Road to State and Federal Highway No. 8, and to Forthwith Make Said Soundings and Survey, and Select a Bridge Site; and Directing Said Highway Commissioner Forthwith to Construct Such Bridge, and Do All Necessary Preliminary Acts Therein.

Have had the same under consideration and recommend that the same be amended as follows:

In line 6 of the title of the printed bill, change words and figures "twenty-seven (S. 27)" to read "twenty-nine (S. 29)."

In line 8 of title of printed bill, strike out the word "four" and insert in lieu thereof the word "six."

In line 12 of Section 1, page 2 of printed bill, strike out "seven (S. 27)" and insert in lieu thereof the following "nine (S. 29)."

In line 13 of Section 1, strike out the word "four" and insert the word "six."

And when so amended recommend the same do pass.

HARRY PETERSON,
Chairman.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Stucke moved that Senate Bill No. 273 be placed on the Calendar without reference to the Committee on Appropriations.

Which motion prevailed.

A Majority of the Committee on State Affairs made the following report:

Mr. President: A Majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 275. A Bill for an Act Creating a City Board of Inspectors to Be Known as "Painters and Decorators Inspection Board" in Cities of Two Thousand Population or Over; Providing for the Appointment of the Members of the Said Board; Requiring All Painters, Decorators, and Paperhangers to Obtain Permits From Said City Board; Providing for the Inspection of Work of Painters, Decorators and Paperhangers; Providing for the License Fee and Penalties for the Violation Thereof and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1 of the printed Bill, line 1, after the word "Painter" add the words "and Contractor."

In Section 3, line 12 of the printed Bill, strike out the following words: "and in addition thereto, the actual and necessary expenses incurred."

In Section 3, line 13 of the printed Bill, after the word "such" insert the word "total."

In Section 3, page 3, of the printed Bill, line 15, after the word "paid" strike out the words "out of the city treasury" and insert in lieu thereof the word "only."

And when so amended recommend the same do pass.

JOHN L. MIKLETHUN,
A. W. FOWLER,
J. P. CAIN,
WM. WATT,
E. E. GREENE.

A Minority of the Committee on State Affairs made the following report:

Mr. President: A Minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 275. A Bill for an Act Creating a City Board of Inspectors to Be Known as "Painters and Decorators Inspection Board" in Cities of Two Thousand Population or Over; Providing for the Appointment of the Members of the Said Board; Requiring All Painters, Decorators, and Paperhangers to Obtain Permits From Said City Board;

Providing for the Inspection of Work of Painters, Decorators and Paperhangers; Providing for the License Fee and Penalties for the Violation Thereof and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. K. BROSTUEN,
O. E. ERICKSON,
GUST WOG,
W. S. HANDLEY.
A. F. BONZER, Jr.,
Chairman.

Senator Fowler moved that the report of the Majority be adopted.

Senator Brostuen moved as a substitute motion that the word "Minority" be substituted for the word "Majority."

Which motion was lost.

The question being on the motion of Senator Fowler, the motion prevailed and Senate Bill No. 275 was recommended for passage as amended.

The Committee on Insurance made the following report:

Mr. President: Your Committee on Insurance to whom was referred:

Senate Bill No. 282. A Bill for an Act to Permit Mutual Cyclone and Tornado Insurance Companies to Insure its Members Against Fire or Lightning.

Have had the same under consideration and recommend that the same be amended as follows:

In line 2, Section 1, of the engrossed bill, strike out the words and figures "of the 1925."

In line 3, Section 1, of the engrossed bill, strike out the words "North Dakota" and insert in lieu thereof the figures "1913."

And when so amended recommend the same do pass.

W. E. MATTHAEI,
Chairman.

Senator Matthaei moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

Mr. President: Your Committee on Banks and Banking to whom was referred:

Senate Bill No. 285. A Bill for an Act to License and Regulate the Business of Making Loans in Sums of Eight Hundred Dollars or Less, Secured or Unsecured, at a Greater

Rate of Interest Than the Existing Legal Rate of Interest, Prescribing the Rate of Interest and Charge Therefor and Penalties for Violation Therefor, and Regulating the Assignment of Wages or Salaries Earned or to Be Earned and the Execution of Chattel Mortgages, When Given as Security for Any Such Loan, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. FINE,
Chairman.

Senator Fine moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. President: Your Committee on Insurance to whom was referred:

Senate Bill No. 286. A Bill for an Act Validating Payments Heretofore Made by the State or Municipalities for Payments of Workmen's Compensation Insurance; Authorizing Municipalities to Pay Such Premiums With Any Moneys Except Special Levies and to Draw Special Warrants for Premiums Where Funds Are Unavailable and Repealing All Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the engrossed bill in the last line after the word "herewith," change the period to a comma and add the following language: "and declaring an emergency."

And when so amended recommend the same do pass.

W. E. MATTHAEI,
Chairman.

Senator Matthaei moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. President: Your Committee on Insurance to whom was referred:

Senate Bill No. 287. A Bill for an Act Authorizing the Workmen's Compensation Bureau to Carry, at Cost, Insurance for Employees on National Recovery Work Relief Highway Projects.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after "A Bill," and insert the following:

"For an Act authorizing the Workmen's Compensation Bureau to carry compensation insurance on employees on

National Recovery Work Projects and to calculate and determine rates on a state wide experience basis.

"Be It Enacted by the Legislative Assembly of the State of North Dakota:

"Section 1. The Workmen's Compensation Bureau is hereby authorized and directed to carry compensation insurance on all employees now engaged or who may hereafter be engaged in the State of North Dakota National Recovery Work Projects where premiums for such insurance is paid from funds furnished by the Federal Government, and to calculate and determine the rates for such compensation insurance on a state wide experience basis."

And when so amended recommend the same do pass.

W. E. MATTHAEI,
Chairman.

Senator Matthaei moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 289. A Bill for an Act to Amend and Re-enact Section 11100 of the Compiled Laws of the State of North Dakota Relating to Quorum and Majority Vote of Board Required to Grant Pardon, Providing for the Time of Meetings and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, line 6 of the printed Bill, after the word "by" strike out the following words: "majority vote of those present of said board convened as such, four of whom shall constitute a quorum" and insert in lieu thereof the following: "a vote of four members of said board."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 292. A Bill for an Act Amending Section 10254 of the Compiled Laws of 1913, Relating to Jumping of Hotel Bills and Bills for Food, Lodging, or Other Accommodations, at Any Hotel, Lodging House, Inn, Boarding or Eating House.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Irrigation and Drainage made the following report:

Mr. President: Your Committee on Irrigation and Drainage to whom was referred:

Senate Bill No. 296. A Bill for an Act to Provide for the Creation of Water Conservation Districts; to Provide for Water Conservation Commissioners and Fix Their Powers and Duties; to Provide for a State Water Conservation Commissioner and Fix His Powers and Duties; to Provide for the Acquisition of Property Rights and the Assessment of Benefits Against the Property Affected, and to Provide for the Levy of Special Assessments and Prescribing the Duties of County Commissioners Relating to Water Conservation Projects, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In line 8 of the title of the printed bill, following the word "projects," insert the words: "Providing for the exemption of Federal Projects and Agencies."

On page 1 of printed bill, Section 1, line 4, strike out the first word "or" and insert a comma, and following the word "by" insert the words: "any cooperative grazing association."

On page 1 of printed bill, in line 5, strike out the word "ten" and insert in lieu thereof the words "fifty per cent" and in same line following the word "more" insert the words "of the."

On page 2 of the printed bill, in line 14, beginning with the word "When" strike out the balance of line 14, and all of lines 15, 16, 17 and 18."

On page 2 of printed bill, line 26, strike out the word "ten" and insert in lieu thereof the words "fifty per cent" and in same line, following the word "more" insert the words "of the."

On page 16 of the printed bill, following line 5 of Section 16, insert the following:

"Section 17. PROVIDING FOR THE EXEMPTION OF FEDERAL AGENCIES AND PROJECTS.) It is hereby provided that this Act shall not apply to the Government of the United States or any department, bureau or agency thereof, except to such extent as the Government of the United States or any department, bureau or agency thereof

may desire to take advantage of its provisions, it being the express purpose and intent of this Act to aid but not to interfere with the Government of the United States and/or its departments, bureaus or agencies. It is hereby provided that this Act shall not apply to any project or projects of the Government of the United States or any department, bureau or agency thereof over which such federal authority desires to exercise full supervision and/or control, nor to the impounding, utilization or distribution of any water for any purpose whatever on or in connection with such project or projects. It is hereby provided that this Act shall not be construed to impair, limit or repeal any water right or other right whatever which the Government of the United States or any department, bureau or agency thereof may have under statutes existing prior to the enactment of this Act. It is hereby provided that the creation of water conservation districts under the provisions of this Act shall not limit nor impair the right of the Government of the United States or any department, bureau or agency thereof to full and complete jurisdiction, management or control over any waters or projects over which such Federal authority desires to exercise such rights, it being the purpose hereof to expressly subrogate any power or jurisdiction granted in this Act to the extent where the exercise of such power or jurisdiction shall never interfere directly or indirectly with such Federal authority.

Renumber Section 17 as Section 18.

Renumber Section 18 as Section 19.

Renumber Section 19 as Section 20.

And when so amended recommend the same do pass.

F. T. GRONVOLD,
Chairman.

Senator Gronvold moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. President: Your Committee on Insurance to whom was referred:

Senate Bill No. 299. A Bill for an Act Authorizing the Governing Boards of Cities to Provide Group Life, Health and Accident Insurance on the Employees of Said City and to Pay the Premiums Thereon and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

W. E. MATTHAEI,
Chairman.

Senator Matthaei moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Cities and Municipal Corporations made the following report:

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

Senate Bill No. 300. A Bill for an Act to Amend and Re-enact Section 3591a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Requiring Cities to Publish in the Official Paper Proceedings of the City Councils With Certain Cities Excepted, and Repealing All Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be amended as follows:

On page 1, Section 1, line 8 of the printed Bill, strike out the figures "2000" and insert in lieu thereof the figures "800."

And when so amended recommend the same do pass.

G. A. JONES,
Chairman.

Senator Jones 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. 304. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing Senate Bill No. 263 Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Acts or Parts of Acts in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof;" and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 302. A Bill for an Act to Regulate Collection Agencies, and for the Protection of the People in General from Unscrupulous and Irresponsible Agents and Individuals Calling Themselves Collection Agencies.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer 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. 306. A Bill for an Act Authorizing the Governor to Enter Into Agreements with the President of the United States Under an Act of Congress Entitled "An Act for the Relief of Unemployed Through the Performance of Useful Public Work, and for Other Purposes," Approved March 31, 1933, and Other Acts Supplemental Thereto; Authorizing the Governor to Enter Into Agreements With Private Land Owners, Declaring the Rights and Duties of the Conservation Commission and of Such Land Owner Thereunder and Providing Procedure for Giving Notice to Mortgagees and Lien Holders Against Lands Affected.

Have had the same under consideration and recommend that the same be amended as follows:

In the last line of the title of the printed bill strike out the period and insert a semi-colon and the following words "and Declaring an Emergency."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Agriculture and Labor made the following report:

Mr. President: Your Committee on Agriculture and Labor to whom was referred:

Senate Bill No. 307. A Bill for an Act Prohibiting Packers from Purchasing or Acquiring Livestock for the Purpose

of Feeding and Fattening the Same, or for any Purpose Other Than the Slaughtering and Processing Thereof in a Packing Plant or Plants Owned, Operated or Controlled Directly or Indirectly by Such Packers, and Regulating the Business of Packers Within the State of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In the title of the printed Bill, after the word "same" in line 2, strike out the following: "or for any purpose other than the slaughtering and processing thereof in a packing plant or plants owned, operated or controlled directly or indirectly by such packers."

In Section 2, subsection (e), page 2 of the printed Bill, line 22, after the word "slaughter" strike out the "comma" and insert in lieu thereof a "period," and strike out the balance of said subsection (e).

And when so amended recommend the same do pass.

HERMAN THORSON,
Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 308. A Bill for an Act Making an Appropriation for the Payment of the Judgment of the Ford Motor Company, a Corporation, Against the State of North Dakota.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion was lost.

Senator Erickson moved that further consideration of Senate Bill No. 308 be indefinitely postponed.

Which motion prevailed, and Senate Bill No. 308 was indefinitely postponed.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 309. A Bill for an Act Authorizing the Filling in of Printed Blank Instruments Used in the Trans-

fer, Mortgaging, or Leasing of Real and Personal Property and Acquiring Statutory Liens by Others Than a Regularly Licensed Attorney, Repealing Conflicting Laws, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Cities and Municipal Corporations made the following report:

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

Senate Bill No. 310. A Bill for an Act Authorizing Counties, Cities, Villages, School Districts and Park Districts to Accept Devises, Bequests, Legacies and Gifts, Provided That the Title Thereto Shall Be Held in Trust; Regulating the Handling and Use of Such Property and its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made; and Declaring an Emergency.

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 "to" insert the words: "the state or." After the word "county," same line, insert the word "township."

In Section 1, line 4 of the printed Bill, after the word "to" add the words: "the state, or."

In Section 1, line 5, after the word "county" insert the word "township."

In Section 1, line 6, after the word "in" insert the words: "the state, or." In same line after the word "county" insert the word "township."

In Section 2, on page 2 of the printed Bill, line 3, after the words "affairs of" insert the words: "the state, or."

In Section 2, page 2, of the printed Bill, line 4, after the word "county" insert the word "township." And in same Section, line 7, after the word "of" insert the words "the state, or." Same line after the word "county" insert the word "township."

On page 2 of the printed Bill, strike out all of Sections 4 and 5 and renumber Section 6 as Section 4.

And when so amended recommend the same do pass.

G. A. JONES,
Chairman.

Senator Jones moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 311. A Bill for an Act to Authorize Building and Loan Associations to Insure Members' Investments in Federal Savings and Loan Insurance Corporation and to Insure Their Mortgages with Federal Housing Administration; to Provide for the Conversion of Building and Loan Associations and Other Home Financing Organizations Into Federal Savings and Loan Associations, Prescribing the Procedure Therefor, Defining the Results Thereof, and Providing for the Indebtedness of Such Associations.

Have had the same under consideration and recommend that the same be amended as follows:

In line 8 of the title of the printed Bill, strike out the "period" and insert in lieu thereof a "comma" and the following words: "and declaring an emergency."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted.

Senator Greene of Stutsman moved that Senate Bill No. 311 be amended as follows:

In line 3 of the title following the word "and" strike out the language "to insure their Mortgages with Federal Housing Administration;" and in line 3, page 1, Section 1, strike out the language "and insurance of its mortgages with the National Housing Administration."

Which motion prevailed.

Senator Greene of Stutsman moved that the report as amended be adopted, which motion prevailed, and the report was adopted.

A Majority of the Committee on State Affairs made the following report:

Mr. President: A Majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 312. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 243 of the Session Laws of 1933, Relating to Employment of Labor of Prisoners in the State Penitentiary, for the Sale of the Products of Said Labor, the Use of Receipts from Said Sales and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. P. CAIN,
A. W. FOWLER,
WM. WATT,
E. E. GREENE.
A. F. BONZER, Jr., Chairman.

A Minority of the Committee on State Affairs made the following report:

Mr. President: A Minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 312. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 243 of the Session Laws of 1933, Relating to Employment of Labor of Prisoners in the State Penitentiary, for the Sale of the Products of Said Labor, the Use of Receipts from Said Sales and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

JOHN L. MIKLETHUN,
J. K. BROSTUEN,
O. E. ERICKSON,
HARRY PETERSON,
GUST WOG,
ALEX LIND,
W. S. HANDLEY.

Senator Bonzer moved that the report of the Majority be adopted.

Senator Owings moved as a substitute motion that the word "Minority" be substituted for the word "Majority."

Which motion prevailed.

Senator McDonald requested a division.

A Division was granted and the motion was declared carried, and Senate Bill No. 312 was recommended for passage.

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. 313. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; to Make an Appropriation for the Administration of This Act; to Fix Fines and Penalties

for the Violation of the Provisions of This Act; to Repeal All Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2 of the printed bill, Section 1, line 17, after the word "users," insert a comma and add the following: "and shall include the ordering, selecting or aiding a customer to select any goods, wares or merchandise from any price list, or catalogue, which such customer might order, or be ordered for such customer to be shipped directly to such customer."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 315. A Bill for an Act to Amend and Re-enact Section 4688 All of the 1925 Supplement to the Compiled Laws of North Dakota, of 1913, Relating to Abolition of Railroad Crossings, the Construction and Maintenance of Overhead and Underground Crossings and Separate Grades and Providing for the Apportionment of the Costs Thereof.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of the title of the printed bill, strike out the word "all" and insert in lieu thereof the following: "All," and in the same line, strike out the figures "1925."

In Section 1, line 1 of the printed bill, strike out the word "all" and insert the following: "All," and in line 2 of Section 1, strike out the figures "1925."

In line 7, Section 1, strike out the word "may."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 316. A Bill for an Act Providing for the Regulating and Licensing of Retail Coal Dealers, and De-

fining Coal Dealers, Providing for Collection of License Fees, Providing Procedure and Grounds for Suspension or Cancellation of Such License, to Provide for Cooperation by the State in Enforcing Certain Federal Labor Policies and Providing That the Funds Realized Hereunder Shall Be Paid Into the State Equalization Fund, and Making the Violation of its Terms a Misdemeanor.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted.

Senator Fine moved as a substitute motion that Senate Bill No. 316 be recommended for passage.

Senator Fine demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the substitute motion of Senator Fine that Senate Bill No. 316 be recommended for passage, the roll was called and there were ayes, 9; nays, 37; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Fine	Lind	Owings
Greene, Cavalier	Marshall	Stucke
Greene, Stutsman	McDonald	Wog
Lemke	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Handley	Nelson, Grand Fks.
Cain	Johnson	Peterson
Coffey	Jones	Strehlow
Crandall	Kamrath	Thorson
Drew	Kolpin	Topp
Dubay	Kroeber	Trout
Eastgate	Lowe	Trovatten
Erickson	Lynn	Vinje
Ettestad	Matthaei	Watt
Fowler	McGillic	Whelan
Fredrickson	Miklethun	Young
Gronvold	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Braaten	Thatcher

So the motion was lost.

Senator Brostuen: "I think this Bill, if passed' would cause a hardship upon the small dealers. In the Western part of the State we have many farmers who dig coal in the winter and haul it to town and sell it and thereby make a living during the Winter.

"In some of the larger cities we have small dealers who ship in a few carloads and deliver it to the people of the cities. By classifying the small dealers and making them pay the same tax as the large dealer, I think it is working a hardship upon them, and in view of the comparatively small income to be derived, I vote 'no'."

Senator Ettestad: "I do not believe that this Bill would work very well in big cities where the schedule is set up according to the population. In the larger towns there are many small dealers who would have to pay as high as \$60.00 for a license to do business. For that reason I vote 'no' for I do not think it is workable."

The question was on the motion of Senator Bonzer, which motion prevailed, and Senate Bill No. 316 was indefinitely postponed.

Senator Fowler moved that the vote by which Senate Bill No. 316 was indefinitely postponed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

A majority of the Committee on Judiciary made the following report:

Mr. President: A majority of Your Committee on Judiciary to whom was referred:

Senate Bill No. 317. A Bill for an Act Providing for a Registration Tax on All Sheriffs and Other Certificates of Sale in All Real Estate Mortgage Foreclosures; Requiring Said Registration Tax to Be Paid to the County Treasurer Before Such Certificates of Sale Are Filed for Record, or Recorded, in the Office of the Register of Deeds; Providing for County Treasurers Certificate of Payment of Registration Tax Before Such Certificates of Sale Shall Be Eligible for Record; Providing for Disposition of Registration Tax Funds and Providing Penalty for Violation of the Provisions of This Act.

Have had the same under consideration and recommend that the same do pass.

W. E. MATTHAEI,
E. E. GREENE,
OLE ETTESTAD,
S. S. McDONALD,
E. C. STUCKE,
C. W. FINE,
MELVIN JOHNSON,
O. E. ERICKSON

A minority of the Committee on Judiciary made the following report:

Mr. President: A minority of your Committee on Judiciary to whom was referred:

Senate Bill No. 317. A Bill for an Act Providing for a Registration Tax on All Sheriffs and Other Certificates of Sale in All Real Estate Mortgage Foreclosures; Requiring Said Registration Tax to Be Paid to the County Treasurer Before Such Certificates of Sale Are Filed for Record, or Recorded, in the Office of the Register of Deeds; Providing for County Treasurers Certificate of Payment of Registration Tax Before Such Certificates of Sale Shall Be Eligible for Record; Providing for Disposition of Registration Tax Funds and Providing Penalty for Violation of the Provisions of This Act.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. WHELAN,
F. T. GRONVOLD,
A. W. FOWLER,
HARRY C. LYNN,
MILTON R. YOUNG,
GEORGE V. COFFEY,
J. P. CAIN, Chairman.

Senator Cain moved that the report of the minority be adopted.

Senator McDonald moved as a substitute motion that the word "majority" be substituted for the word "minority."

Senator Miklethun demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the substitute of motion of Senator McDonald, 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.
Brostuen	Kolpin	Mutchler
Erickson	Kroeber	Owings
Fine	Lemke	Peterson
Fredrickson	Lind	Stucke
Greene, Cavalier	Marshall	Thorson
Greene, Stutsman	Matthaei	Trout
Handley	McDonald	Vinje
Johnson	Miklethun	Wog
Kamrath		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Fowler	Nelson, Grand Fks.
Coffey	Gronvold	Strehlow

Messrs.	Messrs.	Messrs.
Crandall	Jones	Topp
Drew	Lowe	Trovatten
Dubay	Lynn	Watt
Eastgate	McGillic	Whelan
Ettestad	Nelson, Barnes	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Braaten	Thatcher

So the motion prevailed, and Senate Bill No. 317 was recommended for passage.

Senator Erickson asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Erickson moved that the Senate reconsider action taken on Senate Bill No. 192.

Which motion prevailed.

Senator Erickson moved that Senate Bill No. 192 be referred to the Committee on State Affairs.

Which motion prevailed.

Senator Erickson moved that the Senate reconsider action taken on Senate Bill No. 253.

Which motion prevailed.

Senator Erickson moved that Senate Bill No. 253 be referred to the Committee on State Affairs.

Which motion prevailed.

The Committee on Taxes and Tax Laws made the following report:

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 318. A Bill for an Act Levying and Assessing a Tax Upon the Seating Capacity of All Moving Picture Theaters in the State of North Dakota; Providing for Collection of Said Tax; Making Disposition of the Amount Collected; Making Unlawful the Operation of Moving Picture Theaters Until the Tax Imposed is Paid; Requiring the State Regulatory Department to Enforce the Provisions of This Act and Imposing a Penalty for Violation Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Agriculture made the following report:

Mr. President: Your Committee on Agriculture to whom was referred:

Senate Bill No. 319. A Bill for an Act Prohibiting the Importation into This State of Diseased Nursery Stock and Providing for Inspection Thereof; Authorizing the Commissioner of Agriculture and Labor to Regulate and to Prohibit Importation and Shipment of Diseased Nursery Stock; Providing a Penalty for Violation Hereof; Repealing all Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

HERMAN THORSON,
Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

A majority of the Committee on Taxes and Tax Laws made the following report:

Mr. President: A majority of Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 320. A Bill for an Act Providing That Agricultural Co-operative Associations Exempted Under the Provisions of the Federal Law Known as the Capper-Volstead Act Shall Be Exempt from the Filing of State Income Tax Returns and Payment of Income Tax, and Providing that the Attorney General May Require the Filing of Such State Income Tax Returns and Payment of Tax, Upon Proof of Violation of the Capper-Volstead Act and Repeal All Acts or Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same do pass.

E. E. GREENE,
H. T. PETERSON,
O. E. ERICKSON,
OLE ETTESTAD,
W. F. TROUT,
C. W. FINE,
W. S. HANDLEY,
T. E. WHELAN,
GUST WOG,
J. K. BROSTUEN, Chairman.

A minority of the Committee on Taxes and Tax Laws made the following report:

Mr. President: A minority of Your Committee on Taxes and Tax Laws to whom was referred:

Senate Bill No. 320. A Bill for an Act Providing That Agricultural Co-operative Associations Exempted Under the

Provisions of the Federal Law Known as the Capper-Volstead Act Shall Be Exempt from the Filing of State Income Tax Returns and Payment of Income Tax, and Providing that the Attorney General May Require the Filing of Such State Income Tax Returns and Payment of Tax, Upon Proof of Violation of the Capper-Volstead Act and Repeal All Acts or Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. P. CAIN,
A. F. BONZER, Jr.,
A. W. FOWLER,
J. S. MCGILLIC,
G. T. BREW

Senator Brostuen moved that the report of the majority be adopted, which motion prevailed and the report was adopted, and Senate Bill No. 320 was recommended for passage.

The Committee on Highways made the following report:

Mr. President: Your Committee on Highways to whom was referred:

Senate Bill No. 264. A Bill for an Act Relating to Licensing of Motor Vehicle Operators and Chauffeurs and to the Liability of Certain Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fee to be Paid; Providing for Examination of Applicant; Providing for Suspension or Revocation of License; Making Disposition of Fees Collected; Providing for Penalty for Violating Act; Repealing All Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

On page 1 of the printed bill, after the words "Introduced by Senator Bonzer," add a comma and the following "Watt and Eastgate."

On page 5 of the printed bill, subsection (d), lines 37 and 38, strike out the word "quarterly" and insert the word "monthly."

On page 9 of the printed bill, Section 11, line 10, following the word "Department" strike out the period, add a comma, and add the following words: "for which he shall receive twenty cents, to be paid by the Register of the Motor Vehicle Department out of monies received for such license."

On page 11, Section 15, subsection (b), lines 11 and 12, strike out the following words: "field deputy of inspector of the Department" and insert in lieu thereof the following: "Motor Patrol Officer."

And when so amended recommend the same do pass.

HARRY PETERSON,
Chairman.

Senator Peterson 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. 175. A Bill for an Act Providing for a System of Municipal Control of the Purchase, Sale, Importation, Transportation, Handling, Possessing, Dispensing and Use of Alcohol and Alcoholic Beverages by Any Incorporated City of the State Having a Population of Two Hundred or More; the Levy and Collection of a Tax Thereon; the Duties of the State Treasurer; Providing for Injunctions Against and Abatement of Liquor Nuisances; the Continuing in Force of the Present Statutory Regulations Prohibiting the Manufacture, Sale and Possession of Intoxicating Liquors; Providing Penalties for Violations of the Provisions of This Act; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of Section 5, page 2, of the printed bill, strike out the word "five" and insert in lieu thereof the word "two."

In line 8, Section 14, page 5, after the word "rule" insert the following sentence: "Provided further that the manager of said store shall keep a true and correct record of the stock on hand and all sales made by said store, and at the end of each month he shall make and deliver to the City Auditor and the State Treasurer a true and correct inventory of the stock on hand and a complete description of the merchandise sold during the month."

On page 14 of the printed bill, following Section 26, line 7, insert the following: "Section 27. No provision of this act shall apply to alcohol intended for use in the manufacture and sale of any of the following articles when they are unfit for beverage purposes, namely:

- (a) Denatured alcohol produced and used pursuant to acts of Congress and regulations promulgated thereunder;
- (b) Patent, proprietary, medicinal, pharmaceutical, anti-septic and toilet preparations;
- (c) Flavoring extracts, syrups, and food products;
- (d) Scientific, chemical, mechanical, and industrial products; nor to the manufacture and sale of any of said articles containing alcohol;

Provided, however, that this Section shall not apply in any case where any person shall knowingly sell any of the ar-

ticles enumerated in sub-paragraphs (a), (b), (c) and (d) for beverage purposes, or shall sell any of the same under circumstances from which the seller might reasonably deduce the intention of the purchaser to use them for such purposes."

Re-number "Section 27" to read "Section 28."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen 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. 195. A Bill for an Act to Amend and Re-enact Sections 3, 5, 8 and 11 of the Initiated Measure for the Manufacture, Sale and Distribution of Beer, Enacted and Approved September 22, 1933.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out all of the title of the printed bill and insert in lieu thereof the following:

For an Act to Amend and Re-enact Sections 3, 5, 7, 8, and 11 of the Initiated Measure Entitled "An Act Providing for the Manufacture and Sale, Within the State, of Beer, as Defined by the Congress of the United States, Making Regulations Under Which the Same May Be Done, Providing a Revenue Therefrom, and Repealing Senate Bill No. 263, Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Other Acts or Parts of Acts in Conflict With the Provisions of This Act." Approved by the People of the State of North Dakota at the Special Election Held on the 22nd day of September, 1933, Relating to the Manufacture and Sale of Beer, and Declaring an Emergency.

On page 4, line 24 of the printed bill, after the word "villages" insert the following:

It shall be unlawful for any place licensed to retail beer in all territory outside of incorporated cities and villages, to sell, give away, or permit to be consumed in any such place any beer or beverage authorized to be sold under the provisions of this Act between the hours of twelve midnight and seven o'clock A. M.

Any person violating the provisions of this Act relative to the hours permitted for the sale of beer shall be guilty of a misdemeanor and shall be punished by a fine of not less than ten dollars (\$10.00) and not more than one hundred dollars (\$100.00) or by imprisonment in the county jail for

not more than thirty days or by both such fine and imprisonment, and in addition thereto the license shall be revoked. It shall be the duty of the States Attorney, the Sheriff, his deputies and all police officials to rigidly enforce all the provisions of this Act, and their failure so to do shall be sufficient grounds for their removal from office.

At the end of the printed bill insert the following:

Section 5. AMENDMENT.) That Section 5 of the Initiated Measure for the manufacture, sale, and distribution of beer, enacted and approved September 22, 1933, is hereby amended and re-enacted to read as follows:

Section 5. BREWERIES MAY BE ESTABLISHED WITHIN THE STATE.) Any person, firm, corporation, partnership or association, shall have the right to establish within the State, a brewery for the manufacture of beer as defined herein, upon making an application and paying to said Commissioner a license fee of \$500.00 per annum, to be paid to the Treasurer of the State of North Dakota. Said license shall also entitle said brewery to sell its manufactured product to duly licensed wholesale dealers or jobbers regularly engaged in legitimate wholesale business as in this Act defined. Provided, however, that no brewer, domestic or foreign, operating within or without the State, shall be licensed to operate or conduct, directly or indirectly, either in the name of the brewery or as a subsidiary or through any of its officers, agents or employees, a branch or distributing office, as a wholesale dealer in this State. Provided further that no brewery operating within or without the State shall be licensed to engage in the retail sale of beer within the State.

Section 6. SAVING CLAUSE, REPEAL.) If any provisions of this Act shall be held invalid, the other provisions therein shall not be affected, and the law now in force relating to the same subject shall continue in full force and effect. Provided, that any Act or parts of Acts in conflict with any of the provisions of this Act are hereby expressly repealed.

Section 7. EMERGENCY.) This Act is hereby declared to be an emergency and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 25, 1935.

Mr. President: I have the honor to inform you that the

House has adopted the report of the conference committee on Senate Bill No. 91.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

REPORT OF SELECT COMMITTEE

The Conference Committee on Senate Bill No. 91 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 91. A Bill for an Act Requiring Issuance of Receipt for Road Tax Paid Interstate Carriers, and Requiring Posting of Receipts.

Have had the same under consideration and recommend that the following language be stricken from the House amendment:

"In Section 2 of the printed bill, in line 3, strike out the word "of" and insert in lieu thereof the words: "not more."

And with this correction recommend that the Senate do adopt the House amendments to Senate Bill No. 91.

For the Senate:

HARRY PETERSON,
G. F. DREW,
GUST WOG.

For the House:

KARL H. BRUNSDALE,
H. C. WILLIAMS,
ALEX. DALZELL.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

FIRST READING OF SENATE BILLS

Committee on Delayed Bills introduced:

Senate Bill No. 321. A Bill for an Act Providing for the Dissolution of Counties of This State, Providing the Procedure Therefor and Conditions Precedent, Giving Jurisdiction in Relation Thereto to the District Court, Providing for Proclamation by the Governor, Authorizing Attaching Territory of a Dissolved County to Another County for Judicial Purposes, Providing for Future Government and Tax Action, Giving Certain Powers to County Officers of the County to Which Said Territory is Attached, Providing for Liquidation of Indebtedness and Jurisdiction and Duties in Connection Therewith and Providing for Its Obligations and Duties as an Unorganized Territory and the Execution Thereof.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

Committee on Delayed Bills introduced:

Senate Bill No. 322. A Bill for an Act to Impose a Tax of One Cent Upon the Sale of All Gasoline; Providing for the Collection Thereof and for the Disposition of the Revenue Therefrom; Fixing Penalties for Violation, and Declaring an Emergency.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

Committee on Delayed Bills introduced:

Senate Bill No. 323. A Bill for an Act Amending and Re-enacting Section 4924 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Levying a Tax Upon Certain Insurance Companies Doing Business in This State, Providing How Levied, Amount of Tax, Proceeds—How Appropriated, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on Insurance.

Committee on Delayed Bills introduced:

Senate Bill No. 324. A Bill for an Act Authorizing and Empowering the Industrial Commission of the State of North Dakota to Take Such Action as May Be Proper and Necessary to Cooperate with the Emergency Conservation Work Projects of the Federal Government on State, County and Municipally owned Lands, Authorizing the Industrial Commission to Enter Into Such Contracts and Agreements as Are Permissible Under the State Constitution with Municipalities and Private Individuals for the Carrying on of Such Emergency Conservation Work Projects, Making it the Duty of Such Commission to Make a Report of its Proceedings Under This Act to the Next Legislative Assembly, and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Committee on Delayed Bills introduced:

Senate Bill No. 325. A Bill for an Act to Amend and Re-enact Section 4, of Chapter 123 of the Session 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 by the State Fire Marshal Under Direction of the State Board as Said Section is Found in Section 4 of Chapter 139 of the Session Laws of 1927.

Was read the first time and referred to the Committee on State Affairs.

Committee on Delayed Bills introduced:

Senate Bill No. 326. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 172, of the Session Laws of 1929, Which Authorizes and Empowers Cities, Towns or Villages to Purchase, Erect, Operate and Maintain or Lease Electric Light and Power Plant, Electric Distribution System and Transmission Line, Telephone Plant or Parts or Systems or Lines as Provided in the Act, and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

Committee on Delayed Bills introduced:

Senate Bill No. 327. A Bill for an Act Providing for the Disposition of One Million Dollars from the State Hail Insurance Permanent Surplus Fund; Declaring That the Said Permanent Surplus Fund Exceeds the Amount Needed to Carry Out the Purpose for Which Said Fund was Created by the Sum of One Million Dollars; Providing the Manner and Means of Disposing and Disbursing Said Surplus, and Declaring an Emergency in Connection Therewith.

Was read the first time and referred to the Committee on State Affairs.

Committee on Delayed Bills introduced:

Senate Bill No. 328. A Bill for an Act Authorizing the State Forester to Accept, Acquire or Lease Land for State Forests and State Parks; Providing for the Management and Development Thereof and the Disposition of Income From Such Lands.

Was read the first time and referred to the Committee on State Affairs.

Committee on Delayed Bills introduced:

Senate Bill No. 329. A Bill for an Act to Provide Revenue to the State by Imposing a Tax Upon the Sale of Electricity and Electric Power Consumed Within This State; Providing for the Manner of Collecting the Tax, and Penalty for Violation of This Act.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

SENATE CONCURRENT RESOLUTION A-f

Condemning Dealing in Futures

Introduced by Senator Greene of Stutsman

BE IT RESOLVED, BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING: THAT

WHEREAS, The dealings in grain futures is a common practice in the several grain markets of the Nation, and

WHEREAS, Such dealings have a demoralizing effect upon the small buyers and traders in such markets, who are not familiar with the practices of those in control of the markets, and

WHEREAS, Numerous elevators throughout the Nation have been bankrupted and compelled to close because their managers have speculated with company funds and have lost large sums of money through the manipulation of the market by those in control, and

WHEREAS, Dealings in grain futures is in every sense a gambling transaction and ought to be prohibited and those guilty thereof ought to be prosecuted as any other common gambler;

THEREFORE, BE IT RESOLVED, That we condemn the continuance of such practice and request the Attorney General of the United States and the Attorneys General of several states to take such action as will be necessary to stop the practice and to prosecute those guilty of such offense.

Referred to the Committee on Warehouse and Grain Grading.

Senator Erickson moved that the Senate recess until 7:30 o'clock P. M.

Which motion prevailed.

The Senate convened at 7:30 o'clock P. M., pursuant to recess, President pro tem. Marshall presiding.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

February 20, 1935.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 2. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerk-hire, Travel and General Expenses of the Office of the Governor, and Declaring an Emergency.

Also,

Senate Bill No. 8. 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 of 1913.

Also,

Senate Bill No. 65. A Bill for an Act Making an Appropriation to Provide for the Payment to the City of Bismarck, North Dakota, Its Actual Expenses Incurred for the Use of the Municipal Auditorium and World War Memorial Building by the 1933 Legislative Assembly for Labor, Steamheat, Light and Power, Water, Janitors and Washroom Supplies, and Repairs and Miscellaneous Items.

Also,

Senate Bill No. 71. A bill for an Act Making an Appropriation to Provide for the Payment of a Deficit for Maintenance of the Capitol from February 1, 1935, to June 30, 1935, in the Office of the Board of Administration, and Declaring an Emergency.

Also,

Senate Bill No. 76. A Bill for an Act to Prevent the Importation and Sale of Infected Fruit; Providing for the Seizure of Infected Fruit, and Defining Penalties.

Also,

Senate Bill No. 80. A Bill for an Act to Amend and Re-enact Section 2178 of the Compiled Laws of 1913 Relating to Fees of Sheriff or His Deputy for Making Distress and Sale of Goods and Chattels for the Payment of Taxes, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 102. A Bill for an Act to Amend and Re-enact Section 1866A4 and Repeal Section 1866a6, Supplement to the Compiled Laws of 1913, Relating to the Northwest Agricultural Livestock and Fair Association, and Declaring an Emergency.

Also,

Senate Bill No. 103. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Maintenance of the Office of State Treasurer for the Remainder of the Fiscal Year Ending June 30, 1935, and Declaring an Emergency.

Also,

Senate Bill No. 109. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-third Session of the Legislative Assembly of the State of North Dakota.

Very truly yours,

WALTER WELFORD,
Governor.

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. 110. A Bill for an Act Declaring the Draining of a Meandered Lake Within the State of North Dakota to Be a Misdemeanor and Providing Penalties Therefor.

Also,

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 138 of the 1933 Session Laws of the State of North Dakota Relating to Hail Tax Refund.

Also,

SENATE CONCURRENT RESOLUTION No. U

A Concurrent Resolution Urging the Passage of Legislation by Congress in Order to Obtain for our Farmers the Seed Required to Plant Crops During 1935, Etc.

Also,

SENATE CONCURRENT RESOLUTION No. A-c

A Concurrent Resolution Memorializing Congress to Establish Prices on Major Farm Products That Will Insure Cost of Production Plus a Reasonable Profit.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan 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. 110. A Bill for an Act Declaring the Draining of a Meandered Lake Within the State of North Dakota to Be a Misdemeanor and Providing Penalties Therefor.

Also,

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 138 of the 1933 Session Laws of the State of North Dakota Relating to Hail Tax Refund.

Also,

SENATE CONCURRENT RESOLUTION No. "U"

Also,

SENATE CONCURRENT RESOLUTION No. "A-c"

And the President signed the same in the presence of the Senate.

REPORT OF STANDING COMMITTEES

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 173. A Bill for an Act to Amend and Re-enact Section 1218 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Funds of School District, the District Treasurer's Account, Annual Settlements, Annual Report, Receipts and Expenditures, and Repealing All Acts in Conflict Therewith.

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.

The Committee on Game and Fish made the following report:

Mr. President: Your Committee on Game and Fish to whom was referred:

Senate Bill No. 259. A Bill for an Act to Amend and Re-enact Section 23 of Chapter 148 of the 1931 Session Laws, Relating to Non-Resident License. Cost. How Issued. Application. Form. Game Shipments.

Have had the same under consideration and recommend that the same do pass.

W. S. HANDLEY,
Chairman.

Senator Handley moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways made the following report:

Mr. President: Your committee on Highways to whom was referred:

Senate Bill No. 260. A Bill for an Act Creating a State Highway Patrol for the State of North Dakota; Authorizing the Attorney General to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Amending Chapter 102 of the Session Laws of North Dakota for the Year 1933 Relating to

Bureau of Criminal Identification; Fixing Compensation and Providing for Disposition of Fines Collected; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

On page 1, of printed bill, following the name "Bonzer," strike out the period, add a comma and the names: "Watt and Eastgate."

On page 2, of the printed bill, Section 2, line 3, strike out the word "ten," and insert in lieu thereof the word "six" and in the same line strike out the word "fifty," and insert in lieu thereof the word "ten."

On page 2 of printed bill, Section 2, line 12, strike out the word "provided," and strike out all of lines 13 and 14.

On page 3 of the printed bill, Section 4, line 6, following the word "Board," strike out the period, add a comma and add the words: "to be under budget."

On page 3 of printed bill, Section 5, line 3, strike out the figures "\$3,000," and insert in lieu thereof the figures "\$2200."

On page 3 of the printed bill, Section 5, line 5, strike out the figures "\$2,400," and insert in lieu thereof the figures "\$1800," and in same line following the word "annum," insert the words: "who shall be a patrolman."

On page 3 of the printed bill, Section 5, in line 8, strike out the figures "\$150," and insert in lieu thereof the figures "\$135."

On page 3 of the printed bill, Section 5, in line 9, following the word "fund," strike out the period, insert a comma, and add the following: "which shall not exceed \$45,000.00 per annum."

On page 3 of the printed bill, Section 7, line 6, strike out the words "have had at least a High School education."

On page 4 of the printed bill, Section 7, line 10, strike out the word "ten," and insert in lieu thereof the word "eight."

On page 5 of the printed bill, Section 9, line 17, strike out the word "Two," and insert in lieu thereof the word "Five."

On page 5 of the printed bill, in line 21, strike out the word "Two," and insert the word "Five."

And when so amended recommend that the bill do pass.

HARRY PETERSON,
Chairman.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Brostuen moved that Senate Bill No. 260 be placed on the calendar without reference to the Committee on Appropriations.

Which motion prevailed.

A majority of the Committee on Judiciary made the following report:

Mr. President: A majority of your Committee on Judiciary to whom was referred:

Senate Bill No. 267. A Bill for an Act to Amend and Re-enact Sections 5535 and 5536 of the Compiled Laws of the State of North Dakota for the Year 1913.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. WHELAN,
F. T. GRONVOLD,
A. W. FOWLER,
OLE ETTESTAD,
HARRY C. LYNN,
MILTON R. YOUNG,
MELVIN P. JOHNSON,
GEORGE V. COFFEY,
J. P. CAIN, Chairman.

A minority of the Committee on Judiciary made the following report:

Mr. President: A minority of your Committee on Judiciary to whom was referred:

Senate Bill No. 267. A Bill for an Act to Amend and Re-enact Sections 5535 and 5536 of the Compiled Laws of the State of North Dakota for the Year 1913.

Have had the same under consideration and recommend that the same do pass.

W. E. MATTHAEI,
E. E. GREENE,
S. S. McDONALD,
C. W. FINE,
O. E. ERICKSON,

Senator Cain moved that the majority report be adopted.

Senator Fine moved as a substitute motion that the word "minority" be substituted for the word "majority."

Which motion prevailed and Senate Bill No. 267 was recommended for passage.

The Committee on Game and Fish made the following report:

Mr. President: Your Committee on Game and Fish to whom was referred:

Senate Bill No. 290. A Bill for an Act Imposing a Tax Upon Dogs; Providing for the Assessment, Levy and Collection Thereof; Providing for the Issuance of License Tags for All Dogs Upon Which Said Tax is Assessed; Providing for the Determination and Payment of Losses from Tax Collected Thereunder to the Owners of Livestock or Poultry Damaged by Dogs; Providing for the Killing of Dogs in Certain Cases; Providing for Hearing and Appeal; Imposing Powers and Duties on Certain County Officers and Employees, and Providing Penalties for the Violation of This Act, and Repealing all Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In line 6 of the title of the printed bill, after the semi-colon following the word "Cases" insert the words "providing for liability insurance on dogs."

In lines 8, 9, and 10 of Section 6, page 5, strike out the words "The County Auditor shall name one disinterested freeholder from the voting precinct in which the loss occurred to appraise the loss" and insert in lieu thereof the words "The County Commissioner from that district shall appraise the loss."

In line 10 of Section 6, page 5, strike out the words "party so named" and insert in lieu thereof the words "County Commissioner."

In lines 30, 31, 32, and 33 of Section 6, page 6, strike out the words "at once fix the amount thereof and order a warrant drawn on the County Treasurer for the payment of the loss allowed and a warrant for the expense of appraisal" and insert in lieu thereof the words "receive said report and file same for the consideration of the County Commissioner during the month of December of each year, at which time all losses and reports shall be acted upon at one time and warrants shall be drawn. The expense of appraisal shall be paid at the time the report is made to the County Commissioner."

In line 51 of Section 6, page 6, following the period after the word "discharged" insert the following sentence: "If, at the end of the year after all losses have been paid and expenses of appraisal and adjustment have been paid, there is still a surplus, the same shall be paid over to the county school fund, save that enough shall be left in said fund to pay for the tags for the coming year."

In line 1 of Section 8, page 7, after the word "(KEEPERS)." in the title of said Section, cross out the period and parenthesis and insert the words "and Insurance."

And when so amended recommend the same do pass.

W. S. HANDLEY,
Chairman.

Senator Handley moved that the report be adopted, which motion prevailed and the report was adopted.

A Majority of the Committee on Judiciary made the following report:

Mr. President: A Majority of your Committee on Judiciary to whom was referred:

Senate Bill No. 293. A Bill for an Act Prohibiting the Sale, Removal, Material Injury or Destruction of Any Building or Other Improvements on Lands Upon Which There is an Unsatisfied Real Estate Mortgage of Record Held by the Government of the United States, or Any of its Agencies or Instrumentalities, or an Outstanding Sheriff's Certificate of Sale Under Foreclosure of Any Such Mortgage, or While Any Such Foreclosure Sale is Pending, Without the Written Consent of the Holder of Such Mortgage or Certificate of Sale, and Providing for a Penalty for Any Violation Thereof.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of Section 2, page 2, of the printed bill, after the word "shall" insert the words "knowingly and willfully."

In line 2 of Section 2, page 2, strike out the word "felony" and insert in lieu thereof the word "misdemeanor."

In line 3 of Section 2, page 2, after the word "in" strike out the words "the State Penitentiary not exceeding two years, or in."

Strike out all of Section 3.

And when so amended recommend the same do pass.

GEORGE V. COFFEY,
A. W. FOWLER,
T. E. WHELAN,
E. E. GREENE,
OLE ETTESTAD,
W. E. MATTHAEI,
O. E. ERICKSON,
HARRY C. LYNN,
MILTON R. YOUNG,
J. P. CAIN, Chairman.

A Minority of the Committee on Judiciary made the following report:

Mr. President: A Minority of your Committee on Judiciary to whom was referred:

Senate Bill No. 293. A Bill for an Act Prohibiting the Sale, Removal, Material Injury or Destruction of Any Building or Other Improvements on Lands Upon Which There is an Unsatisfied Real Estate Mortgage of Record Held by the Government of the United States, or Any of its Agencies or Instrumentalities, or an Outstanding Sheriff's Cer-

tificate of Sale Under Foreclosure of Any Such Mortgage, or While Any Such Foreclosure Sale is Pending, Without the Written Consent of the Holder of Such Mortgage or Certificate of Sale, and Providing for a Penalty for Any Violation Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

MELVIN JOHNSON,
S. S. McDONALD,
C. W. FINE.

Senator Cain moved that the report of the Majority be adopted.

Senator Fine moved as a substitute motion that the word "Minority" be substituted for the word "Majority."

Which motion was lost.

The question being on the motion of Senator Cain.

Which motion prevailed, and Senate Bill No. 293 was recommended for passage.

A majority of the Committee on State Affairs made the following report:

Mr. President: A majority of your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION L

For an Amendment to Sections 25, 26, 27, 28, 29, 30, 31, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47, 48, 49, 50, 53, 54, 56, 60, 65, 66 and 67 of Article 2 of the Constitution of the State of North Dakota. Relating to the Legislative Department, Providing for a Legislature to Consist on One Body, the Membership Thereof to Consist of One Representative from Each Legislative District as Said District May Hereafter be Designated; Repealing Sections 32, 33, 34, 35, 36, 51, 52, 57, and 58 of Said Article 2.

Have had the same under consideration and recommend that the same be adopted.

J. K. BROSTUEN,
HARRY PETERSON,
GUST WOG,
ALEX. LIND,
E. E. GREENE,
W. S. HANDLEY,
A. F. BONZER, Jr., Chairman.

A minority of the Committee on State Affairs made the following report:

Mr. President: A minority of your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION L

For an Amendment to Sections 25, 26, 27, 28, 29, 30, 31, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47, 48, 49, 50, 53, 54, 56, 60, 65, 66 and 67 of Article 2 of the Constitution of the State of North Dakota, Relating to the Legislative Department, Providing for a Legislature to Consist on One Body, the Membership Thereof to Consist of One Representative from Each Legislative District as Said District May Hereafter be Designated; Repealing Sections 32, 33, 34, 35, 36, 51, 52, 57, and 58 of Said Article 2.

Have had the same under consideration and recommend that the same be indefinitely postponed.

T. E. WHELAN,
A. W. FOWLER,
J. P. CAIN,
A. A. TROVATTEN,
WM. WATT.

Senator Bonzer moved that the report of the majority be adopted, which motion prevailed and the report was adopted, and the resolution was recommended for adoption.

The Committee on Ways and Means made the following report:

Mr. President: Your Committee on Ways and Means to whom was referred:

JOINT RESOLUTION D

Have had the same under consideration and recommend that the same be indefinitely postponed.

GUST WOG,
Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. President: Your Committee on Ways and Means to whom was referred:

JOINT RESOLUTION B-3

Have had the same under consideration and recommend that the same be indefinitely postponed.

GUST WOG,
Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "A-a"

Have had the same under consideration and recommend that the same be adopted.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "A-d"

Requesting the Federal Government to Assign Additional Civilian Conservation Corps Units to North Dakota.

Have had the same under consideration and recommend that the same be adopted.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Agriculture made the following report:

Mr. President: Your Committee on Agriculture to whom was referred:

SENATE CONCURRENT RESOLUTION "X"
Endorsing Proposed Shelterbelt Project.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2, line 11, of the printed Bill, strike out the word "of" following the word "Congress" and insert in lieu thereof the word "from."

And when so amended recommend the same be adopted.

HERMAN THORSON,
Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Miklethun moved that Senate Concurrent Resolution "A-b" be read.

Which motion prevailed, and the Resolution was read by the Secretary.

A Majority of the Committee on State Affairs made the following report:

Mr. President: A Majority of your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "A-b"

Asking Congress to Pass Necessary Legislation to Re-establish Issuing of Money as a Monopoly of Government and a System of Government Banks Exclusively Owned.

Have had the same under consideration and recommend that the same be adopted.

JOHN L. MIKLETHUN,
ALEX LIND,
W. S. HANDLEY,
J. K. BROSTUEN,
O. E. ERICKSON.
A. F. BONZER Jr., Chairman.

A Minority of the Committee on State Affairs made the following report:

Mr. President: A Minority of your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION "A-b"

Asking Congress to Pass Necessary Legislation to Re-establish Issuing of Money as a Monopoly of Government and a System of Government Banks Exclusively Owned.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. FOWLER,
J. P. CAIN,
T. E. WHELAN,
WM. WATT.

Senator Fine moved that Senate Concurrent Resolution "A-b" be amended as follows:

In line 25, strike out the word "old."

In line 26, strike out the word "variety" and insert in lieu thereof the word "liberty."

Which motion prevailed.

Senator Fine moved that the report of the majority as amended, be adopted.

Senator Miklethun demanded a roll call on the adoption of the majority report.

A roll call was granted.

ROLL CALL

The question being on the motion of Senator Fine to adopt the majority report, as amended, recommending Senate Concurrent Resolution "A-b" for adoption, 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.
Braaten	Jones	Nelson, Barnes
Brostuen	Kamrath	Owings
Dubay	Kolpin	Peterson
Erickson	Kroeber	Strehlow
Ettestad	Lemke	Stucke
Fine	Lind	Thorson
Fredrickson	Marshall	Trout
Greene, Cavalier	Matthaei	Vinje
Greene, Stutsman	McDonald	Wog
Handley	Miklethun	Young
Johnson	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Fowler	Topp
Coffey	Gronvold	Trovatten
Crandall	Lynn	Watt
Drew	McGillic	Whelan
Eastgate	Nelson, Grand Fks.	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Low	Thatcher

So the motion prevailed and Senate Concurrent Resolution "A-b" was recommended for adoption.

Senator Handley asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Handley moved that all absent Senators be excused.

Which motion prevailed.

Senator Watt moved that the reading of the divided committee reports on Senate Bill No. 248 be dispensed with and if the minority report is adopted, same will be printed in the Journal.

Which motion prevailed.

A majority of the Committee on State Affairs made the following report:

Mr. President: A majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 248. A Bill for an Act Authorizing the County Commissioners of the Several Counties of the State of North Dakota to Contract with Some Newspaper Printed in the County, to Perform All Printing for Which Said Counties May be Chargeable, Including All Legal Advertising Required by Law to Be Made, and Other Printing, All Official

Publications and Fixing a Price Thereof; Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

WM. WATT,
 A. W. FOWLER,
 J. P. CAIN,
 W. S. HANDLEY,
 A. A. TROVATTEN,
 A. F. BONZER, Jr., Chairman.

A Minority of the Committee on State Affairs made the following report:

Mr. President: A Minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 248. A Bill for an Act Authorizing the County Commissioners of the Several Counties of the State of North Dakota to Contract with Some Newspaper Printed in the County, to Perform All Printing for Which Said Counties May be Chargeable, Including All Legal Advertising Required by Law to Be Made, and Other Printing, All Official Publications and Fixing a Price Thereof; Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything in the printed Bill after the words "A Bill" and insert in lieu thereof the following:

"For an Act Authorizing the County Commissioners of the Several Counties in the State of North Dakota to Contract With One or More Printing or Publishing Establishments in the County to Perform All Printing for Which Said Counties May Be Chargeable and Fixing a Price Therefor, Repealing All Acts or Parts of Acts in Conflict Herewith.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

Section 1. COUNTY COMMISSIONERS TO CONTRACT PRINTING: It shall be the duty of the county commissioners of the several counties of the State of North Dakota to contract with one or more printing or publishing establishments in the counties to furnish all office supplies, printing, loose leaf devices, etc., not to exceed the following prices:

Medium or Double Cap Books, size of page 18 x 11½ and 17 x 14.

8 Quire plain 640 pages	\$ 37.50
6 Quire plain 480 pages	33.25
4 Quire plain 320 pages	27.25
2 Quire plain 160 pages	24.50

Demy Record Book, size of pages 10½ x 16

8 Quire plain 640 pages	30.50
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6 Quire plain 480 pages	27.00
4 Quire plain 320 pages	22.00
2 Quire plain 160 pages	20.00

Cap Record Books, size of Page 8½ x 14

8 Quire plain 640 pages	24.50
6 Quire plain 480 pages	22.00
4 Quire plain 320 pages	18.50
2 Quire plain 160 pages	16.00

Double Demy Records, size of pages 16 x 21

8 Quire plain 640 pages	54.50
6 Quire plain 480 pages	47.50
4 Quire plain 320 pages	38.00
2 Quire plain 160 pages	34.00

Loose Leaf Records the same prices as bound books.

Canvas Cover	4.50
Printed Heading for above books	10.75
Additional Form of Printed Heading	7.50
One Form Printed Page for Above Books	19.75
Additional Form Printed Page for above books	14.00
One Form Ruling for above books	8.00
Additional Form Ruling for above books	4.00
A to Z Index in front of books	2.00
A to Z Index through book	3.50
Leather Tabs, Each35

Assessment Book Sheets, same as now in use, per thousand	120.00
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Tax Receipts, in Duplicate, 50 in Book, per thousand..	28.00
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Lithographed County Warrants, same as in use, per thousand, (half bound)	24.50
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Assessment Listing Blanks, Personal Property, in duplicate, per thousand	16.00
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Tax Sale Certificates, per thousand	40.00
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Assessors Real Estate work sheet, in duplicate, per thousand	12.00
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Treasurers Misc. Receipts in Triplicate, half bound, books of 250, per book	15.00
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Township Orders, in books of 250, per book	17.00
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Auditors Redemption Warrants, numbered and perforated, ½ bound, per thousand	30.00
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School District Orders, books of 250, per book	17.00
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Treasurers Redemption Receipts, in triplicate, half bound, books of 250, per book	22.00
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Auditors Redemption Orders in duplicate, fold back, half bound, books of 250, per book	26.50
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PRIMARY AND GENERAL ELECTION:

Precinct Supplies:

- 4 Poll book and envelopes, 2 each, Republican, Democrat and Nonpartisan.
- 10 Instruction cards.
 - 1 Precinct stamp and pad.
 - 2 Notices as to posting ballots.
 - 2 Statements of ballots received and returned.
 - 1 Ballot box key envelope.
- 20 Affiliation affidavits.
- 20 Non-registered voters affidavits.
- 20 Voters affidavits.
 - 2 Duties of election board.
 - 2 Precinct committeemen sheets, Republican.
 - 2 Precinct committeemen sheets, Democrat.
 - 3 Ballot box sealers.
 - 2 Instruction envelopes.
 - 6 Summary sheets.
 - 5 Pencils, 5 pens and pen holders.
 - 1 Stick sealing wax.
 - 1 Candle.
 - 1 Bottle ink.
 - 1 Official ballot wrapper.
 - 1 Sample ballot envelope.
 - 9 Return wrappers.
 - 2 Return envelopes.
 - 1 Ball twine.

Price per Precinct..... \$ 10.50

Republican ballots, per M	22.00
Republican sample ballots, per 100	2.20
Democratic ballots, per M	20.00
Democratic sample ballots, per 100	2.00
Nonpartisan ballots, per M	24.00
Nonpartisan sample ballots, per 100	2.40
Absent voter ballots, per 100	5.00
Constitutional amendment and initiated ballots, not to exceed 9 x 15 inches, per M	9.00
Constitutional amendment ballot samples, per 100.....	.90
Books, Abstract of Returns, Republican	3.00
Books, Abstract of Returns, Nonpartisan	3.00
Books, Abstract of Returns, Democratic	3.00
Notices of Nomination, each20
Books, receipt for supplies, Sheriff, each	1.00
Books, receipt for supplies, Inspector, each	1.00
Books, receipt for supplies, Auditor, each	1.00
Books, receipt for supplies, County Judge, each	1.00
Application Absent Voters, each02
Envelopes, Absent Voters, Auditor, each05
Envelopes, Absent Voters, Inspector, each05
Auditors Return Envelopes, each05
Sec'y. of State, Return Envelope, each	\$.05

All blank books and printing covered herein shall be furnished at prices not in excess of the prices for such work as set forth in the current Franklin Printing Price Catalog List and the Graphic Arts Determination Schedule, less 10%.

That the county commissioners shall require of any contractor or contractors to do such county printing, a good and sufficient undertaking in such sum as said Commissioners may deem advisable, signed by at least two sufficient sureties, conditioned to the effect that said contractor will faithfully perform all the conditions of said contract in accordance with the terms thereof, or in any default thereof, said sureties shall pay the said county the sum mentioned in said undertaking as the penalty thereof; provided that nothing in this Act shall be construed so as to compel the acceptance of unsatisfactory work; also provided, however, that this requirement shall not affect any contract made prior to the passage of this Act. No such contract for printing shall extend for a period of more than one year. All printing or publishing establishments which may receive any contract for printing under this Act and which may not be able to execute any part of such contract shall be required to sublet such contract or portion of contract to some publishing or printing establishment within the State, which shall do the work under contract so sublet entirely within the State, with North Dakota labor.

Section 2. All prices set forth herein shall include all paper stock, all printing and work complete and delivered at the courthouse.

Section 3. That any violation of this Act shall be deemed a misdemeanor and punished as such.

Section 4. REPEAL. All Acts and parts of Acts in conflict herewith are hereby repealed.

And when so amended recommend the same do pass.

E. E. GREENE,
OLE ETTESTAD,
O. E. ERICKSON,
ALEX LIND.

A. F. BONZER, Jr.,
Chairman.

Senator Erickson moved that the minority report be adopted.

Senator Cain moved as a substitute motion that the word "majority" be substituted for the word "minority."

Senator Erickson demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the substitute motion of Senator Cain to adopt the majority report, to indefinitely postpone Senate Bill No. 248, 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.
Cain	Handley	McGillic
Crandall	Jones	Nelson, Grand Fks.
Eastgate	Kroeber	Trout
Fowler	Lynn	Trovatten
Gronvold	Matthaei	Watt

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Owings
Braaten	Kamrath	Peterson
Brostuen	Kolpin	Strehlow
Coffey	Lemke	Stucke
Drew	Lind	Thorson
Dubay	Marshall	Topp
Erickson	McDonald	Vinje
Ettestad	Miklethun	Whelan
Fine	Mutchler	Wog
Fredrickson	Nelson, Barnes	Young
Greene, Cavalier		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Greene, Stutsman	Lowe	Thatcher

So the motion was lost.

Senator Brostuen: "Until we have the amendments before us, I do not think it is possible for us to vote intelligently. For that reason I am voting 'no,' although I do not want to be bound to vote that way on second reading."

Senator Coffey: "I am in the same situation as Senator Brostuen. I believe it is a good thing to spread this work around a little but I do not want to increase the cost to the taxpayers either. I would like a little more time to look it over so I am going to vote 'no.'"

Senator Jones: "I have looked into this matter some and I do not think that half of the little papers in half of the counties could print these election returns. I have known a great many times that even the large papers had difficulty and had to send the work out of the State. I would like to help the little papers, but I understand these election returns could be printed so much cheaper by the larger papers that it would be poor economy for the little papers to try to do the work. I, therefore, vote 'aye.'"

The question being on the motion of Senator Erickson, the motion prevailed and Senate Bill No. 248 was recommended for passage as amended.

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. 294. A Bill for an Act to Amend and Re-enact Section 2346a11 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 253 of the 1933 Session Laws; Section 2346a20 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 4 of Chapter 253 of the 1933 Session Laws; Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Sub-section 4 of Section 4 of Chapter 283 of the 1931 Session Laws, Relating to the Taxation of Income of Individuals, Fiduciaries and Corporations; Repealing That Portion of Section 2346a46 of the Supplement to the Compiled Laws of 1913 as was Amended and Re-enacted by Paragraph (b) of Sub-section 4 of Section 6 of Chapter 283 of the 1931 Session Laws and Repealing Sub-section 7 of Section 4 of Chapter 283 of the 1931 Session Laws, and Repealing Sub-section 7 of Section 2346a30 of the 1925 Supplement to the Compiled Laws, and All Other Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2 of the printed bill, in line 9, strike out the following: "2%" and insert in lieu thereof the following: "1%."

On page 2, in line 11, strike out the figure "3" and insert in lieu thereof the figure "2."

On page 2, line 13, strike out the figure "4" and insert the figure "3."

On page 3 of the printed bill, in Section 2, line 7, following the word "sustained," strike out the following words: "in the carrying on of any trade or business, sustained within the year" and insert in lieu thereof the following: "within the year from purchases and sales and other transactions where the purchases and sales are both made within the year, or the transactions are wholly within the year."

On page 4 of the printed bill, line 8, subsection (1), strike out the figure "10" and insert in lieu thereof the figure "5."

On page 4 of printed bill, in subsection (2), strike out the figures "\$25.00" where they occur in lines 10, 11 and 13, and insert the figures "\$15.00" in each instance.

On page 4, line 15, strike out the word "Four" and insert the word "Two."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Livestock made the following report:

Mr. President: Your Committee on Livestock to whom was referred:

Senate Bill No. 305. A Bill for an Act Providing for the Payment of a Bounty on Crows and Crow Eggs.

Have had the same under consideration and recommend that the same be returned without recommendation.

J. E. EASTGATE,
Chairman.

Senator Eastgate moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Handley moved that Senate Bill No. 305 be placed upon the calendar, which motion prevailed, and the bill was recommended for passage.

The Committee on Highways made the following report:

Mr. President: Your Committee on Highways to whom was referred:

HOUSE CONCURRENT RESOLUTION "A-10"

A Concurrent Resolution Relative to Routing of State and Federal Highways Through Small Towns.

Have had the same under consideration and recommend that the same be adopted.

HARRY PETERSON,
Chairman.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

A Majority of the Committee on Agriculture made the following report:

Mr. President: A Majority of your Committee on Agriculture to whom was referred:

House Bill No. 7. A Bill For an Act to Provide for the Weighing, Grading, Feeding, Docking and Watering of Live-stock at Packing Plants, Slaughtering Houses and Concentration Points.

Have had the same under consideration and recommend that the same do pass.

HERMAN THORSON,
ALEX LIND,
WILLIAM KAMRATH,
ALBERT DUBAY,
A. C. NELSON,
C. W. FINE,
E. E. GREENE,
OLE ETTESTAD.

The Minority of your Committee on Agriculture made the following report:

Mr. President: The Minority of your Committee on Agriculture to whom was referred:

House Bill No. 7. A Bill For an Act to Provide for the Weighing, Grading, Feeding, Docking and Watering of Livestock at Packing Plants, Slaughtering Houses and Concentration Points.

Have had the same under consideration and recommend that the same be amended as follows:

All of the amendments are on the engrossed bill.

In line 1, Section 2, strike out the word "shall" and insert in lieu thereof the word "may."

In line 3, Section 2, strike out the words "and graders as may be" and insert in lieu thereof the words "as it may deem." In the same line strike out the word "and."

In line 4, Section 2, strike out the word "grading." In the same line strike out the words "and every such grader."

In line 8, Section 2, strike out the words "or graders."

In line 24, Section 2, strike out the words "and graders" and also the words "dock and grade."

In line 25, Section 2, strike out the words "graded and docked."

In line 28, Section 2, strike out the word "and."

In line 29, Section 2, strike out the words "or grader."

In line 30, Section 2, strike out the words "or graded, or both."

In line 31, Section 2, strike out the words "or graded" and the words "and grade."

In line 32, Section 2, after the word "animals" strike out the comma and insert in lieu thereof a period. In the same line strike out the words "and the dockage if any."

In line 36, Section 2, strike out the words "docking and grading."

At the end of Section 2 of the engrossed bill insert the following:

"The Board of Railroad Commissioners may appoint at each Packing Plant, slaughtering house and concentration point, a grader of livestock. Every such grader shall give to the state a bond in the sum of five thousand dollars conditioned for the faithful discharge of his duties. No grader shall be maintained at any packing plant, slaughtering house or concentration point where the average daily number of livestock handled is less than two hundred and fifty head. The Board of Railroad Commissioners shall prescribe and follow such reasonable regulations as it deems necessary for determining such daily average. Upon request of the seller or his representative such grader shall grade or re-grade any slaughter livestock not previously graded by a state grader appointed pursuant to the provisions hereof and shall keep a record

thereof and of the time of arrival of such livestock at such packing plant, slaughtering house and concentration point. The grader shall furnish the interested parties a certificate setting forth the number of animals graded, for whose account graded and the actual grade of such animal or animals. Such certificates shall be Prima Facie evidence of the facts therein certified. The Board of Railroad Commissioners shall establish such rules and regulations as it deems necessary for the grading of animals and insofar as applicable the Board of Railroad Commissioners shall use the same standards as are used or may hereafter be used by the United States Bureau of Agriculture."

In line 2, Section 3, strike out the words "docking and grading."

In line 1, Section 4, strike out the word "docker."

In line 1, Section 6, strike out the word "docker."

In line 2, Section 6, strike out the word "dock."

In line 2, Section 8, strike out the word "docker."

At the end of Section 9 after the word "terms" add the following: "Any owner of any such packing plant or slaughtering house shall, immediately upon the receipt of the daily market quotations or prices for livestock, post the same in a public and conspicuous place in its plant."

And when so amended recommend the same do pass.

J. E. EASTGATE,
N. N. NELSON.

Senator Watt moved that the amendments as offered in the Minority report be printed in the Journal and the adoption of the Committee report be laid over for two legislative days.

Senator Fine moved as a substitute motion that the Majority report be adopted and House Bill No. 7 be placed upon the Calendar.

Senator Fine demanded a Roll Call.

A Roll Call was granted.

ROLL CALL

The question being on the substitute motion of Senator Fine, that the Majority report be adopted, 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.
Bonzer	Johnson	Owings
Braaten	Jones	Peterson
Brostuen	Kamrath	Strehlow
Drew	Kolpin	Stucke
Dubay	Lemke	Thorson

Messrs.	Messrs.	Messrs.
Erickson	Lind	Trout
Fine	Marshall	Trovatten
Fredrickson	Matthaei	Vinje
Greene, Cavalier	McDonald	Wog
Greene, Stutsman	Miklethun	Young
Handley	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Fowler	Mutchler
Coffey	Gronvold	Nelson, Grand Fks.
Crandall	Kroeber	Topp
Eastgate	Lynn	Watt
Ettestad	McGillic	Whelan

Absent and not voting:

Messrs.	Messrs.
Lowe	Thatcher

So the motion prevailed.

Senator Fine moved that the vote by which the Majority report on House Bill No. 7 was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator McGillic: "I had intended voting 'aye' on this Bill but seeing that I live in town I would like to know what those amendments are, so I will vote 'no'."

The Committee on Game and Fish made the following report:

Mr. President: Your Committee on Game and Fish to whom was referred:

House Bill No. 64. A Bill for an Act to Amend and Re-enact Section 35 of Chapter 148 of the 1931 Session Laws, Relating to the Bag and Possession Limits on Protected Game Birds.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. S. HANDLEY,
Chairman.

Senator Handley moved that the report be adopted.

Senator Erickson moved as a substitute motion that House Bill No. 64 be recommended for passage.

Which motion prevailed.

A Majority of the Committee on Judiciary made the following report:

Mr. President: A Majority of your Committee on Judiciary to whom was referred:

House Bill No. 93. A Bill for an Act to Amend and Re-enact Section 6756 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Form of Chattel Mortgages.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. W. FOWLER,
T. E. WHELAN,
OLE ETTESTAD,
F. T. GRONVOLD,
GEORGE V. COFFEY,
HARRY C. LYNN,
MILTON R. YOUNG,
J. P. CAIN, Chairman.

A Minority of the Committee on Judiciary made the following report:

Mr. President: A Minority of your Committee on Judiciary to whom was referred:

House Bill No. 93. A Bill for an Act to Amend and Re-enact Section 6756 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Form of Chattel Mortgages.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of the title of the printed bill, strike out the figures "1913," in line 2 strike out the words "of the State," and after the words "North Dakota" insert the words "for the Year 1913."

And when so amended recommend that the same do pass.

MELVIN P. JOHNSON,
S. S. McDONALD,
C. W. FINE,
E. C. STUCKE,
WM. A. THATCHER,
W. E. MATTHAEI,
O. E. ERICKSON.

Senator Erickson moved that the minority report on Senate Bill No. 93 be amended as follows:

"The amendments as made in the report should also apply to Section 1 of the printed bill."

Which motion prevailed.

Senator Cain moved that the report of the majority be adopted.

Senator Fine moved as a substitute motion that the word "minority" be substituted for the word "majority."

Which motion prevailed.

Senator Cain moved that the Senate reconsider the vote by which the minority report was adopted.

Which motion prevailed.

Senator Fine moved that the report of the minority as amended by the Senate be adopted.

The motion prevailed and House Bill No. 93 was recommended for passage.

The Committee on Agriculture made the following report:

Mr. President: Your Committee on Agriculture to whom was referred:

House Bill No. 139. A Bill for an Act to Amend and Re-enact Sections 2003a1 and 2003a2 of the 1925 Supplement to the 1913 Compiled Laws Relating to the Cutting of Noxious Weeds on Highways.

Have had the same under consideration and recommend that the same do pass.

HERMAN THORSON,
Chairman.

Senator Thorson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Game and Fish made the following report:

Mr. President: Your Committee on Game and Fish to whom was referred:

House Bill No. 169. A Bill for an Act to Amend and Re-enact Chapter 120, Session Laws of the State of North Dakota for 1933, Relating to the Disposition of Money Collected by the Game and Fish Commission; Providing for the Conservation of Water, and the Construction of Dams Within the State.

Have had the same under consideration and recommend that the same do pass.

W. S. HANDLEY,
Chairman.

Senator Handley moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Erickson moved that action on Senate Bill No. 77 be delayed until tomorrow.

Which motion prevailed.

The question was on the pending motion of Senator Erickson on February 21, 1935, to adopt the report of the minority recommending Senate Bill No. 142 for passage.

Senator Erickson demanded a roll call.

Senator Matthaei demanded a call of the Senate.

Roll call: All Senators were present except Senators Fine, Thatcher and Lowe.

Senator Erickson moved that Senator Thatcher be excused.

Which motion prevailed.

Senator Bonzer moved that the call of the Senate be dispensed with.

Which motion prevailed.

ROLL CALL

The question being on the substitute motion of Senator Erickson, printed on page 32 of the Senate Journal of February 21, 1935, that the minority report be adopted, recommending Senate Bill No. 142 for passage, the roll was called and there were ayes, 11; nays, 36; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Dubay	Handley	Miklethun
Erickson	Kamrath	Thorson
Ettestad	Marshall	Wog
Greene, Cavalier	McDonald	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Nelson, Grand Fks.
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kolpin	Strehlow
Coffey	Kroeber	Stucke
Crandall	Lemke	Topp
Drew	Lind	Trout
Eastgate	Lynn	Trovatten
Fine	Matthaei	Vinje
Fowler	McGillic	Watt
Fredrickson	Mutchler	Whelan
Greene, Stutsman	Nelson, Barnes	Young

Absent and not voting:

Messrs.	Messrs.
Lowe	Thatcher

So the motion was lost.

The question being on the adoption of the majority report on Senate Bill No. 142, which motion prevailed and Senate Bill No. 142 was indefinitely postponed.

The President pro tem. called Senator Greene of Stutsman to the chair to preside.

Senator Vinje moved that the vote by which Senate Bill

No. 142 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Braaten asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Braaten moved that the vote by which Senate Bill No. 188 was indefinitely postponed be reconsidered.

Which motion prevailed.

Senator Braaten moved that Senate Bill No. 188 be placed on the calendar.

Which motion prevailed.

Senator Brostuen asked unanimous consent to return to the Twelfth Order of Business.

Which request was granted.

SECOND READING OF SENATE BILLS

Senate Bill No. 185. A Bill for an Act Defining the Jurisdiction of Police Magistrates and City Justices of the Peace in Criminal Actions in Cities of Five Thousand Inhabitants or More in Counties Wherein the County Court Does Not Have Increased Jurisdiction; Qualifications and Fees of Said Police Magistrate and City Justices of the Peace; Procedure, Jurors and Officers in Said Police Magistrate Courts and Courts of Said City Justices of the Peace; Limitations of Jurisdiction of Justices of the Peace in Said Cities; and Repealing All Acts and Parts of Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 28; nays, 16; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Nelson, Barnes
Cain	Johnson	Nelson, Grand Fks.
Coffey	Jones	Strehlow
Crandall	Kolpin	Topp
Drew	Kroeber	Trovatten
Dubay	Lynn	Vinje
Eastgate	Matthaei	Watt
Fowler	McGillic	Whelan
Fredrickson	Mutchler	Young
Greene, Stutsman		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Kamrath	Miklethun
Erickson	Lemke	Owings
Ettestad	Lind	Stucke
Fine	Marshall	Thorson
Greene, Cavalier	McDonald	Trout
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brostuen	Peterson	Wog
Lowe	Thatcher	

So the bill passed and the title was agreed to, and the emergency clause declared lost.

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance and a New Building for the State Hospital for the Insane at Jamestown, North Dakota, and for the Construction and Equipment of a New Building at Said Hospital; Permitting the Use of Labor of Inmates in the Construction and Equipment of Such New Building; Imposing Certain Duties on the Board of Administration in Connection Therewith; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Greene, Stutsman	Mutchler
Braaten	Gronvold	Nelson, Barnes
Brostuen	Handley	Owings
Cain	Johnson	Peterson
Coffey	Jones	Strehlow
Crandall	Kamrath	Stucke
Drew	Kolpin	Thorson
Dubay	Kroeber	Topp
Eastgate	Lind	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Young
Greene, Cavalier	Miklethun	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lemke	Nelson, Grand Fks.	Wog
Lowe	Thatcher	

So the bill passed and the title was agreed to.

Senate Bill No. 266. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Re-touch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Greene, Stutsman	Mutchler
Brostuen	Gronvold	Nelson, Barnes
Cain	Handley	Peterson
Coffey	Johnson	Strehlow
Crandall	Kamrath	Stucke
Drew	Kolpin	Topp
Dubay	Kroeber	Trout
Eastgate	Lind	Trovatten
Erickson	Lynn	Vinje
Ettestad	Marshall	Watt
Fine	Matthaei	Whelan
Fowler	McGillic	Wog
Fredrickson	Miklethun	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Jones	Owings	Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Braaten	Lowe	Nelson, Grand Fks.
Greene, Cavalier	McDonald	Thatcher
Lemke		

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 261. A Bill for an Act Transferring a Sum of Fifty Thousand Dollars from the General Fund to the "Returned Soldiers Fund" Heretofore Transferred from the Returned Soldiers Fund to the General Fund Under the Provisions of Chapter 82 of the Session Laws of 1931, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thorson
Dubay	Lind	Topp
Eastgate	Lynn	Trout
Erickson	Marshall	Trovatten
Ettestad	Matthaei	Vinje
Fine	McGillic	Watt
Fowler	Miklethun	Whelan
Fredrickson	Mutchler	Wog
Greene, Stutsman	Nelson, Barnes	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Braaten	Lemke	McDonald
Greene, Cavalier	Lowe	Thatcher

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 249. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend the Present Sewerage System of the State Penitentiary to Connect With the City of Bismarck System of Sewerage, Providing for the Use of Prison Labor, or to Make Provision for its Construction by Governmental Agency; Making an Appropriation Therefor, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thorson
Dubay	Lind	Topp
Eastgate	Lynn	Trout
Erickson	Marshall	Trovatten
Ettestad	Matthaei	Vinje

Messrs.	Messrs.	Messrs.
Fine	McGillic	Watt
Fowler	Miklethun	Whelan
Fredrickson	Mutchler	Wog
Greene, Stutsman	Nelson, Barnes	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Braaten	Lemke	McDonald
Greene, Cavalier	Lowe	Thatcher

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Miklethun moved that Senate Concurrent Resolution "V" and "S" be placed at the foot of the calendar.

Which motion prevailed.

Senate Bill No. 219. A Bill for an Act Providing That No Fee Shall Be Charged or Collected for the Recording or Filing of Any Document Required by the United States or the State of North Dakota for Any Water and/or Wild-life Conservation Project; Repealing All Acts or Parts of Acts in Conflict Herewith, Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lind	Thorson
Dubay	Lynn	Topp
Eastgate	Marshall	Trout
Ettestad	Matthaei	Trovatten
Fine	McDonald	Vinje
Fowler	McGillic	Watt
Fredrickson	Miklethun	Whelan
Greene, Stutsman	Mutchler	Wog
Gronvold	Nelson, Barnes	Young
Handley		

Those voting in the negative were:

Messrs.
Erickson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Braaten	Lemke	Thatcher
Greene, Cavalier	Lowe	

So the bill passed and the title was agreed to. The emergency clause was declared carried.

Senate Bill No. 218. A Bill for an Act Providing That the State and the Several Counties of the State Are Authorized to Acquire by Purchase, Exchange, Gift, Condemnation or Otherwise the Title to Any Land Within the Same Political Subdivision for the Purpose of Establishing Any Public Park or Recreational Area, or for the Purpose of Constructing, Maintaining and Operating Any Water and/or Wildlife Conservation Project; Providing That All Lands to Be Purchased or Exchanged Under Authority of This Act Shall Be Appraised by the Existing Appraisal Agencies of the Parties to the Contract; Providing That Where No Such Appraisal Agency Exists the County Board of Commissioners Shall Determine the Value Thereof, and Providing That No Land Shall Be Purchased for More Than the Appraised Value, nor Shall Any Lands Owned by the State or the Several Counties Be Exchanged Except for Lands of an Equal Appraised Value; Providing That the State of North Dakota Shall Reserve All Mineral Rights to All State Lands Transferred Under Authority of This Act; Providing a Saving Clause; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lind	Topp
Eastgate	Lynn	Troust
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Those voting in the negative were:

Messrs.
Erickson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Lemke	Thatcher
Greene, Cavalier	Lowe	Thorson

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senate Bill No. 226. A Bill for an Act to Amend and Re-enact Sections 8320a13, 8320a14, 8320a19, 8320a20 and 8320a22 of the Supplement to the Compiled Laws of 1913, Relating to Flood Irrigation Projects, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Topp
Dubay	Lind	Trout
Eastgate	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Stutsman	Miklethun	Young

Those voting in the negative were:

Messrs.
Greene, Cavalier

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Lowe	Thatcher
Kamrath	Peterson	Thorson

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 144. A Bill for an Act to Amend and Re-enact Chapter 158 of the Session Laws of North Dakota for the Year 1933, Relating to Restriction of Foreclosure of Real Estate Mortgage by Advertisement, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 16; nays, 27; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Topp
Coffey	Lynn	Trovatten
Crandall	Mutchler	Watt
Drew	Nelson, Grand Fks.	Whelan
Eastgate	Strehlow	Young
Fowler		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	McDonald
Braaten	Johnson	McGillic
Brostuen	Jones	Miklethun
Dubay	Kolpin	Nelson, Barnes
Ettestad	Kroeber	Owings
Fine	Lemke	Stucke
Fredrickson	Lind	Trout
Greene, Cavaljer	Marshall	Vinje
Greene, Stutsman	Matthæi	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Lowe	Thatcher
Kamrath	Peterson	Thorson

So the bill was lost.

Senate Bill No. 57. A Bill for an Act to Amend and Re-enact Chapter 185 of Session Laws of 1929 and Section 3 of Chapter 211, Session Laws of 1927, Relating to the Regulation of the Practice of Pharmacy, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 35; nays, 10; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Mutchler
Braaten	Gronvold	Nelson, Grand Fks.
Brostuen	Jones	Strehlow
Cain	Kamrath	Stucke
Coffey	Kolpin	Topp
Crandall	Kroeber	Trovatten
Drew	Lynn	Vinje
Dubay	Marshall	Watt

Messrs.	Messrs.	Messrs.
Eastgate	Matthaei	Whelan
Ettestad	McDonald	Wog
Fowler	McGillic	Young
Fredrickson	Miklethun	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Erickson	Johnson	Nelson, Barnes
Fine	Lemke	Owings
Greene, Cavalier	Lind	Trout
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Low	Thatcher	Thorson
Peterson		

So the bill passed and the title was agreed to, and the emergency clause declared carried.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Mr. and Mrs. Roy Richmond, Mr. and Mrs. I. A. Neuman, Paul F. Hass and John C. Low of Minot; Mr. and Mrs. Culver Ladd, Mrs. H. A. Jones, Bismarck.

Senator Bonzer moved that the Senate do now recess until 10:30 A. M. tomorrow.

Which motion prevailed.

F. E. TUNELL,
Secretary.

FORTY-NINTH DAY AFTER RECESS AND THE
FIFTIETH DAY

Senate Chamber,
Bismarck, North Dakota,
February 26, 1935.

The Senate convened at 10:30 A. M., pursuant to recess,
President pro tem. Marshall presiding.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received
and read from the desk:

A petition presented by Senator Miklethun, signed, A. D. Ottinger and ninety-eight other members of Methodist Episcopal Church of Valley City, in opposition to the legislation legalizing hard liquor.

A petition presented by Senator Greene of Cavalier county, signed by the Salvation Army Corps of Bismarck, opposed to any law legalizing hard liquor.

Referred to the Committee on Temperance.

A petition presented by Senator Thorson, signed, G. P. Lee, asking a hearing on Senate Bills No. 255 and 136.

A petition presented by Senator Thorson, signed, Mott Pioneer Press, in support of Senate Bill No. 253.

Referred to the Committee on State Affairs.

A resolution presented by Senator Peterson, signed, Hans Larson and twenty-seven members of Farmers Union Local No. 488, regarding education.

A resolution presented by Senator Lind, signed, Cabel Johnson of Farmers Union Local No. 394, regarding election of school officers.

A resolution presented by Senator Greene of Stutsman, signed, E. F. Kiernan and thirty-eight other members of the Lincoln Parent Teachers Association, regarding education.

A petition presented by Senator Fowler, signed, Jessie

M. Gillespie and forty-three others, regarding school legislation.

Referred to the Committee on Education.

A petition presented by Senator Lemke, signed, C. E. Blackorly and thirty-nine others, opposed to closing the Mayville State Teachers College.

A petition presented by Senator Crandall, signed, Ada Hayden and eleven members of the American War Mothers, asking that the Ellendale Normal be kept open.

A like communication from Burke county carrying 244 signatures.

A petition presented by Senator Greene of Stutsman, signed, A. W. Holb and 94 other members of the Order of Railway Conductors; Brotherhood of Railway Trainmen; Brotherhood of Locomotive Engineers; Brotherhood of Locomotive Firemen and Enginemen, and Order of Railway Telegraphers, opposed to House Bill No. 135.

A petition presented by Senator Fine, signed, James Cleveland, Mayor of Maddock and four others in opposition to Senate Bill No. 313.

A petition presented by Senator McGillic, signed, Chas. H. Lorenz and 103 others in opposition to House Bill No. 135.

Referred to the Committee on Taxes and Tax Laws.

REPORT OF STANDING COMMITTEES

The Committee on Insurance made the following report:

Mr. President: Your Committee on Insurance to whom was referred:

Senate Bill No. 171. A Bill for an Act to Provide for a State Board of Insurance Agents; Providing for the Appointment of Members Thereof Together With Per Diem and Mileage for Their Services; Providing for Annual and Special Meetings; Biennial Reports to the Governor; Giving Authority to Issue Certificates to Insurance Agents; Providing for the Collection of Fees; the Imposing of a Penalty for a Failure to Comply With This Act; Giving Authority to Make Rules and Regulations, and Repealing All Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. E. MATTHAEI,
Chairman,

Senator Matthaei moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 183. A Bill for an Act Authorizing and Empowering the Governing Board of Any Political Sub-

division to Compromise and Settle Obligations Other Than Taxes Due and Owing to or Held by Such Political Subdivisions, Validating Settlements Heretofore Made, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 25; nays, 4; absent and not voting, 20.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Kamrath	Nelson, Barnes
Coffey	Kolpin	Nelson, Grand Fks.
Crandall	Kroeber	Strehlow
Dubay	Lemke	Stucke
Eastgate	Lowe	Trovatten
Fredrickson	Lynn	Whelan
Gronvold	Marshall	Young
Johnson	Matthaei	
Jones	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.
Erickson	Owings
Greene, Cavalier	Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Thatcher
Brostuen	Handley	Topp
Cain	Lind	Trout
Drew	McDonald	Vinje
Ettestad	McGillic	Watt
Fine	Miklethun	Wog
Fowler	Peterson	

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 69. A Bill for an Act Providing the Manner of Holding and Fixing the Date for Annual School Elections; Also Providing How and When Reports of Clerk and Treasurer Shall Be Made and the Date When Annual Budget and Levy Shall Be Made.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 25; nays, 5; absent and not voting, 19.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Jones	Nelson, Barnes
Coffey	Kamrath	Nelson, Grand Fks.
Crandall	Kolpin	Owings
Eastgate	Kroeber	Stucke
Erickson	Lowe	Thorson
Fredrickson	Lynn	Trovatten
Greene, Cavalier	Marshall	Young
Gronvold	McDonald	
Johnson	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Dubay	Strehlow	Whelan
Lemke	Trout	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Thatcher
Brostuen	Handley	Topp
Cain	Lind	Vinje
Drew	Matthaei	Watt
Ettestad	McGillic	Wog
Fine	Miklethun	
Fowler	Peterson	

So the bill passed and the title was agreed to.

Senator Fowler moved that Senate Bill No. 235 be placed at the foot of the calendar.

Which motion prevailed.

Senator Johnson moved that Senate Bill No. 180 be amended as follows:

In line 17, page 2, following the period after the word "parties," strike out the remainder of the bill.

Which motion prevailed.

Senator Johnson moved that Senate Bill No. 180 be amended as follows:

In the title of the bill, strike out the semi-colon in line two and insert a period, striking out the remainder of the title "and declaring an emergency."

Which motion prevailed.

Senator Johnson moved that the rules be suspended and that Senate Bill No. 180, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 180. A Bill for an Act to Amend and Re-

enact Section 860 of the Compiled Laws of North Dakota of the Year 1913, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thorson
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Erickson	Lowe	Trovatten
Ettestad	Lynn	Whelan
Fine	Marshall	Wog
Fowler	Matthaei	Young
Fredrickson	McDonald	
Greene, Cavalier	Miklethun	
Greene, Stutsman	Mutchler	

Absent and not voting:

Messrs.	Messrs.
McGillic	Vinje
Thatcher	Watt

So the bill passed and the title was agreed to.

Senator Matthaei moved that Senate Concurrent Resolution "W" be amended as follows:

On page 2, line 15 of the printed resolution, change the words "thirty-five" to "fifteen."

Which motion was lost.

Senator Matthaei moved that Senate Concurrent Resolution "W" be amended as follows:

On page 2, line 15 of the printed resolution, change the words "thirty-five" to "twenty."

Senator Cain moved as a substitute motion that Senate Concurrent Resolution "W" be amended as follows:

On page 2, line 15 of the printed resolution, change the words "thirty-five" to "twenty-five."

Which motion was seconded.

Senator Greene of Stutsman moved to recess until 12:45 P. M.

Which motion prevailed.

The Senate convened, pursuant to recess taken, President pro tem. Marshall presiding.

The question before the Senate was the substitute motion of Senator Cain to amend Senate Concurrent Resolution "W."

Which motion was lost.

The question being on the motion of Senator Matthaei, which motion prevailed and Senate Concurrent Resolution "W" was amended.

Senator Matthaei moved that the rules be suspended and that Senate Concurrent Resolution "W," as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Senator Miklethun moved as a substitute motion that Senate Concurrent Resolution "W" be amended as follows:

In line 10, page 2, strike out the words "twenty thousand" and insert in lieu thereof the words "fifteen thousand."

Which motion was lost.

Senator Matthaei moved that Senate Concurrent Resolution "W" be further amended as follows:

On page 3, line 40, change "thirty-five" to "twenty" to conform with the amendment heretofore made.

Which motion was lost.

The question being on the motion of Senator Matthaei to suspend the rules and place Senate Concurrent Resolution "W" on second reading and final passage.

Which motion prevailed.

SENATE CONCURRENT RESOLUTION "W"

Was read the second time.

ROLL CALL

The question being on the adoption of Senate Concurrent Resolution "W" in 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.
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow

Messrs.	Messrs.	Messrs.
Drew	Kroeber	Thorson
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Erickson	Lowe	Trovatten
Fine	Lynn	Watt
Fowler	Marshall	Whelan
Fredrickson	Matthaei	Wog
Greene, Cavalier	McDonald	Young
Greene, Stutsman	McGillic	
Gronvold	Miklethun	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Nelson, Grand Fks.	Thatcher
Ettestad	Stucke	Vinje

So the resolution was adopted.

Senate Bill No. 91. A Bill for an Act Requiring Issuance of Receipt for Road Tax Paid Interstate Carriers, and Requiring Posting of Receipts.

Was read the second time.

ROLL CALL

The question being on the final passage of Senate Bill No. 91, as amended, 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.
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Thorson
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Erickson	Lowe	Trovatten
Fine	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	Matthaei	Whelan
Greene, Cavalier	McDonald	Wog
Greene, Stutsman	McGillic	Young
Gronvold	Miklethun	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Nelson, Grand Fks.	Thatcher
Ettestad	Stucke	

So the bill passed and the title was agreed to, and the emergency clause declared carried.

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. 100. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, and Sub-section (b) of Section 4, and Section 13 of Chapter 215, Session Laws of 1931.

Also,

Senate Bill No. 160. A Bill for an Act to Amend and Re-enact Chapter 272 of the Session Laws of 1931, Authorizing the Board of Administration, with the Approval and Consent of the Governor, to Transfer the License of the Radio Station Located at the State University of North Dakota at Grand Forks, North Dakota.

Also,

Senate Bill No. 198. A Bill for an Act Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 101. A Bill for an Act to Establish a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Regulating the Sale and Distribution of the Same, Defining Certain Terms, Designating Standard Grades, Providing for an Inspection Service and for the Fixing of Fees and Other Charges and the Disposition of the Same, Defining Violations and Providing Penalties Therefor, Defining Certain Cooperative Functions, Charging Carriers with Certain Responsibilities, Providing for Enforcement and Prosecution, Providing for Effect of Partial Invalidity, and Providing for Administration of the Act Through the State Seed Commissioner and Giving Him Authority to Make Necessary Rules and Regulations, and to Administer Oaths, and to Have Free Access and Power of Seizure, and Providing for Supersedence of This Act.

Also,

Senate Bill No. 180. A Bill for an Act to Amend and Re-enact Section 860 of the Compiled Laws of North Dakota of the Year 1913.

And find the same correctly re-engrossed.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

SENATE COMMITTEE ON ENROLLMENT AND
ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 14. 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.

Also,

Senate Bill No. 22. A Bill for an Act Making an Appropriation to pay for the General Maintenance, Improvements and Repairs, Lignite Testing, Clay Testing, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Also,

Senate Bill No. 28. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of the State of North Dakota, as Amended by Chapter 274, Session Laws of 1927 and as amended by Chapter 140 of the Session Laws of 1933, Defining Usury.

Also,

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 339 of the Compiled Laws of North Dakota for 1913, Relating to Selection of School Lands for Leasing, Advertising Same, Auction When Held, Commencement of Lease, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 136. A Bill for an Act Amending Sections 2889b4, 2889b5 and 2889b6 Supplement to the Compiled Laws of 1913, Relating to Food and Drugs, and Known as the North Dakota Food and Drugs Act.

Also,

Senate Bill No. 165. A Bill for an Act to Amend and Re-enact Section 3263 of the Compiled Laws of North Dakota for 1913, Relating to Re-districting Counties Into Commissioner Districts, Petition of Voters and Election Therefor, Question—How Submitted to Voters, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 189. A Bill for an Act Providing for the Better Collection of Taxes and Better Enforcement of Laws Relating to the Imposition and Collection of Taxes Now or Hereafter Imposed Upon Cigarettes, Snuff, Cigarette Papers,

Beer and or Any Other Article or Product Now or Hereafter Taxed by a Stamp or Other Special Tax by the State of North Dakota.

Also,

Senate Bill No. 175. A Bill for an Act Providing for a System of Municipal Control of the Purchase, Sale, Importation, Transportation, Handling, Possessing, Dispensing and Use of Alcohol and Alcoholic Beverages by Any Incorporated City of the State Having a Population of Two Hundred or More; the Levy and Collection of a Tax Thereon; the Duties of the State Treasurer; Providing for Injunctions Against and Abatement of Liquor Nuisances; the Continuing in Force of the Present Statutory Regulations Prohibiting the Manufacture, Sale and Possession of Intoxicating Liquors; Providing Penalties for Violations of the Provisions of This Act; and Declaring an Emergency.

Also,

Senate Bill No. 192. A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; Providing for the Printing of All Matters Coming Under Class 5 of State Printing; Providing for Each State Department of Office to Designate Newspaper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost Thereof and Repeal all Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 195. A Bill for an Act to Amend and Re-enact Sections 3, 5, 7, 8, and 11 of the Initiated Measure Entitled "An Act Providing for the Manufacture and Sale, Within the State, of Beer, as Defined by the Congress of the United States, Making Regulations Under Which the Same May Be Done, Providing a Revenue Therefrom, and Repealing Senate Bill No. 263, passed by the 23rd Legislative Assembly of the State of North Dakota, and All Other Acts or Parts of Acts in Conflict with the Provisions of This Act," Approved by the People of the State of North Dakota at the Special Election Held on the 22nd day of September, 1933, Relating to the Manufacture and Sale of Beer, and Declaring an Emergency.

Also,

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 196 of the Laws of North Dakota, 1927, in Relation to the Levy of Taxes to Pay the Principal of and Interest on Bonds Issued by Municipalities Which Are Further Sustained by Revenue of a Revenue-Producing Utility, Industry, or Enterprise, and Declaring an Emergency.

Also,

Senate Bill No. 212. A Bill for an Act Validating, Ratifying, Approving and Confirming Bonds, Warrants and Other Instruments or Obligations Heretofore Issued by Public Bodies of This State for the Purpose of Financing in Whole or in Part Public Works Projects, and Validating All Proceedings Heretofore Taken for the Incorporation of Any Public Body as Defined in the Act, and Declaring an Emergency.

Also,

Senate Bill No. 216. A Bill for an Act Amending and Re-enacting Section 16 of Chapter 196 of the Laws of North Dakota for the year 1927, and Relating to the Execution, Registration, Certification and Delivery of Bonds Issued by a Municipality.

Also,

Senate Bill No. 217. A Bill for an Act to Amend and Re-enact Chapter 220, Session Laws of the State of North Dakota for the year 1933, Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Summary Reduction of the Same, Relating to Hearings, and Investigations; and Relating to Valuation and/or Revaluation of Property of Public Utility Companies and Corporations by the Board of Railroad Commissioners; Relating to Payment of Expenses of Such Hearings, and Investigations, and Valuations and/or Revaluations and the Methods of Assessing and Collecting the Same; and Repealing All Acts or Parts of Acts in Conflict Herewith; and Making an Appropriation for the Valuation by Board of Public Commissioners of the Property of the Public Utilities, Subject to the Provisions of Chapter 192 of the Session Laws of 1919; Creating a Revolving Fund, and Declaring an Emergency.

Also,

Senate Bill No. 248. A Bill for an Act Authorizing the County Commissioners of the Several Counties in the State of North Dakota to Contract With One or More Printing or Publishing Establishments in the County to Perform All Printing for Which Said Counties May Be Chargeable and Fixing a Price Therefor; Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 252. A Bill for an Act Providing for the Speedy Liquidation of Insolvent Banks, Providing Procedure for Liquidating and Closing Receiverships of Insolvent Banks, Granting Additional Powers to the Supreme Court and Directing the Procedure to Be Had by Said Court and Defining the Powers and Duties of the Supreme Court in Bank Receiverships.

Also,

Senate Bill No. 271. A Bill for an Act Empowering the Board of County Commissioners to Abate, Cancel or Reduce Personal Property Taxes Upon Evidence Satisfying Said Commissioners of the Unjustness of the Assessment or Taxes; Providing a Manner Through Which the Same May Be Done, and Declaring an Emergency.

Also,

Senate Bill No. 275. A Bill for an Act Creating a City Board of Inspectors to Be Known as "Painters and Decorators Inspection Board" in Cities of Two Thousand Population or Over; Providing for the Appointment of the Members of the Said Board; Requiring All Painters, Decorators, and Paperhangers to Obtain Permits From Said City Board; Providing for the Inspection of Work of Painters, Decorators and Paperhangers; Providing for the License Fee and Penalties for the Violation Thereof and Declaring an Emergency.

Also,

Senate Bill No. 282. A Bill for an Act to Permit Mutual Cyclone and Tornado Insurance Companies to Insure Its Members Against Fire or Lightning.

Also,

Senate Bill No. 286. A Bill for an Act Validating Payments Heretofore Made by the State or Municipalities for Payments of Workmen's Compensation Insurance; Authorizing Municipalities to Pay Such Premiums With Any Moneys Except Special Levies and to Draw Special Warrants for Premiums Where Funds Are Unavailable and Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 287. A Bill for an Act Authorizing the Workmen's Compensation Bureau to Carry Compensation Insurance on Employees on National Recovery Work Projects and to Calculate and Determine Rates on a State Wide Experience Basis.

Also,

Senate Bill No. 289. A Bill for an Act to Amend and Re-enact Section 11100 of the Compiled Laws of the State of North Dakota Relating to Quorum and Majority Vote of Board Required to Grant Pardon, Providing for the Time of Meetings and Declaring an Emergency.

Also,

Senate Bill No. 293. A Bill for an Act Prohibiting the Sale, Removal, Material Injury or Destruction of Any Building or Other Improvements on Lands Upon Which There is an Unsatisfied Real Estate Mortgage of Record Held by the Government of the United States, or Any of its Agencies or Instrumentalities, or an Outstanding Sheriff's Certificate of Sale Under Foreclosure of Any Such Mortgage, or

While Any Such Foreclosure Sale is Pending, Without the Written Consent of the Holder of Such Mortgage or Certificate of Sale, and Providing for a Penalty for Any Violation Thereof.

Also,

Senate Bill No. 273. A Bill for an Act to Appropriate the Sum of One Thousand Dollars (\$1,000.00) From Any Moneys in the State Highway Fund for the Purpose of Making a Preliminary Survey and Soundings for the Construction of a Bridge Across the Little Missouri River at or Near the Intersection of the Little Missouri River With the Trail Passing South of Independence and Crossing Section Twenty-nine (S. 29), Township One Hundred Forty-eight (T. 148), Range Ninety-one (R. 91) Dunn County, North Dakota, Approximately Six Miles Northwest of the Fort Berthold Bridge, Also Known as the Four Bears Bridge, Under the Provisions of Chapter Seventy-three (73) of the Laws of North Dakota for the year Nineteen Hundred Nineteen (1919) (Sections 1952a1 and 1952a2 of the 1925 Supplement to the Compiled Laws of 1913) as Amended and Re-enacted by Chapter 161, Laws of 1927, as Amended and Re-enacted by Chapter 140 of the Laws of 1929, and Directing the State Highway Commissioner Forthwith to Designate Said Trail as a Feeder Road to State and Federal Highway No. 8, and to Forthwith Make Said Soundings and Survey, and Select a Bridge Site; and Directing Said Highway Commissioner Forthwith to Construct Such Bridge, and Do All Necessary Preliminary Acts Therein.

Also,

Senate Bill No. 290. A Bill for an Act Imposing a Tax Upon Dogs; Providing for the Assessment, Levy, and Collection Thereof; Providing for the Issuance of License Tags for All Dogs Upon Which Said Tax is Assessed; Providing for the Determination and Payment of Losses from Tax Collected Thereunder to the Owners of Livestock or Poultry Damaged by Dogs; Providing for the Killing of Dogs in Certain Cases; Providing for Liability Insurance on Dogs; Providing for Hearing and Appeal; Imposing Powers and Duties on Certain County Officers and Employees, and Providing Penalties for the Violation of This Act, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 296. A Bill for an Act to Provide for the Creation of Water Conservation Districts; to Provide for Water Conservation Commissioners and Fix Their Powers and Duties; to Provide for a State Water Conservation Commissioner and Fix His Powers and Duties; to Provide for the Acquisition of Property Rights and the Assessment of Benefits Against the Property Affected, and to Provide for the Levy of Special Assessments and Prescribing the Duties of County Commissioners Relating to Water Con-

servation Projects, Providing for the Exemption of Federal Projects and Agencies, and Declaring an Emergency.

Also,

Senate Bill No. 300. A Bill for an Act to Amend and Re-enact Section 3591a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Requiring Cities to Publish in the Official Paper Proceedings of the City Councils With Certain Cities Excepted, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 306. A Bill for an Act Authorizing the Governor to Enter Into Agreements with the President of the United States Under an Act of Congress Entitled "An Act for the Relief of Unemployed Through the Performance of Useful Public Work, and for Other Purposes," Approved March 31, 1933, and Other Acts Supplemental Thereto; Authorizing the Governor to Enter Into Agreements With Private Land Owners, Declaring the Rights and Duties of the Conservation Commission and of Such Land Owner Thereunder and Providing Procedure for Giving Notice to Mortgagees and Lien Holders Against Lands Affected, and Declaring an Emergency.

Also,

Senate Bill No. 307. A Bill for an Act Prohibiting Packers from Purchasing or Acquiring Livestock for the Purpose of Feeding and Fattening the Same, and Regulating the Business of Packers Within the State of North Dakota.

Also,

Senate Bill No. 310. A Bill for an Act Authorizing Counties, Cities, Villages, School Districts and Park Districts to Accept Devises, Bequests, Legacies and Gifts, Provided That the Title Thereto Shall Be Held in Trust; Regulating the Handling and Use of Such Property and its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made; and Declaring an Emergency.

And find the same correctly engrossed.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF 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. 91. A Bill for an Act Requiring Issuance of Receipt for Road Tax Paid Interstate Carriers, and Requiring Posting of Receipts, and Providing a Penalty for Violation Thereof, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION P

A Concurrent Resolution Memorializing Congress to Support House Joint Resolution Nos. 15, 83, 86, introduced in the Congress of the United States by Representative Burdick.

Also,

SENATE CONCURRENT RESOLUTION No. E

A Concurrent 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 There-to, Relating to Revenue and Taxation.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF STANDING COMMITTEES

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Section 1162 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for 1933, Relating to Annual, Regular and Special Meetings of Boards of Common School Districts and Providing for Notice of Same and Relating to Attendance, Per Diem and Mileage of School Officers Attending County Meetings, and Declaring an Emergency.

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.

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 201. A Bill for an Act to Amend and Re-enact Sections 1168, 1255 and 1306 of the Compiled Laws of the State of North Dakota, Relating to Keeping of Accounts

and the Manner of Disbursement of Funds of Common, Special and Independent School Districts, and Providing for the Form of Warrants to Be Used by Said School Districts as Amended by Chapter 228 of the 1933 Session Laws of North Dakota and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be reported in without recommendation of the committee.

A. S. MARSHALL,
Chairman.

Senator Marshall moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

Senate Bill No. 284. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 161 of the Session Laws of the State of North Dakota for the Year 1919 (Section 1518 of the Supplement of 1925) Relative to the Retirement of Teachers Eligible to Annuity, Defining Eligibility and Fixing Time From Which Annuity is Payable.

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.

Senator Erickson moved as a substitute motion that Senate Bill No. 284 be recommended for passage.

Senator Erickson withdrew his motion.

The question was on the motion of Senator Marshall. The motion prevailed and Senate Bill No. 284 was indefinitely postponed.

Senator Matthaei requested consent to withdraw Senate Bill No. 301.

Which request was granted.

The Committee on Warehouse and Grain Grading made the following report:

Mr. President: Your Committee on Warehouse and Grain Grading to whom was referred:

SENATE CONCURRENT RESOLUTION "A-f"

Condemning Dealing in Futures

Have had the same under consideration and recommend that the same be adopted.

E. E. GREENE,
Chairman.

Senator Greene of Stutsman moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

Senate Bill No. 1. A Bill for an Act to Appropriate Money for the Expenses of the Executive, Legislative and Judicial Departments of the State Government, and for Public Schools, Specifying the Amount and Time for Which Such Appropriations Shall Be Available, and Repealing All Acts, or Parts of Acts, Insofar as the Same Shall Relate to Appropriations Conflicting Herewith or to Appropriations for the Same Matters or Purposes Provided for Herein.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2 of the printed Bill, Section 3, after line 5, insert the following: "5½. Investigation Fund; to be used exclusively for expenses investigating criminal and insanity matters as the Governor may order done and to be paid out on his approval only. . . . 2,000.00."

On page 2 of the printed Bill, Section 3, line 6, item "Secretary to Governor" strike out the figures "3,584.00" and insert in lieu thereof the figures "3,840.00."

On page 2 of the printed Bill, Section 3, line 17, item "Total" strike out the figures "\$22,574.00" and insert the figures "\$24,830.00."

On page 4 of the printed Bill, line 53, strike out the words "their own districts" and insert in lieu thereof the words "the county in which the judges reside."

On page 4 of printed Bill, line 61, item "Deputy," strike out the figures "3,584.00" and insert in lieu thereof the figures "3,840.00."

On page 5 of the printed Bill, line 74, item "Total," strike out the figures "\$29,524.80" and insert in lieu thereof the figures "\$29,780.80."

On page 5 of the printed Bill, strike out all of lines 82 and 83.

On page 5 of the printed Bill, line 85, item "Total," strike out the figures "\$21,300.00" and insert in lieu thereof the figures "\$16,200.00."

On page 5 of the printed Bill, line 90, item "Deputy," strike

out the figures "3,584.00" and insert in lieu thereof the figures "3,840.00."

On page 6, line 111, item "total" strike out the figures "\$54,266.72" and insert in lieu thereof the figures "\$54,522.72."

On page 6, line 116, item "Deputy," strike out the figures "3,584.00" and insert in lieu thereof the figures "3,840.00."

On page 7, line 132, item "Total," strike out the figures "\$40,420.16" and insert in lieu thereof the figures "\$40,676.16."

On page 7, line 137, item "Deputy," strike out the figures "3,584.00" and insert in lieu thereof the figures "3,840.00."

On page 8, line 148, item "Total," strike out the figures "\$24,123.76" and insert in lieu thereof the figures "\$24,379.76."

On page 8, line 153, item "Chief Assistant," strike out the figures "2,280.00" and insert in lieu thereof the figures "2,500.00."

On page 8, line 162, item "Total," strike out the figures "\$10,930.00" and insert in lieu thereof the figures "\$11,150.00."

On page 9, line 184, item "Deputy," strike out the figures "3,584.00" and insert in lieu thereof the figures "3,840.00."

On page 9, line 194, item "Total," strike out the figures "\$38,844.00" and insert in lieu thereof the figures "\$39,100.00."

On page 10, line 198, strike out the word "Second" and insert in lieu thereof the word "Secondary." And in the same line strike out the figures "\$3,200.00" and insert in lieu thereof the figures "\$3,400.00."

On page 10, line 204, item "County Agricultural Schools" strike out the figures "16,000.00" and insert in lieu thereof the figures "22,000.00."

On page 10, line 207, item "Total," strike out the figures "\$38,280.00" and insert in lieu thereof the figures "\$44,480.00."

On page 10, line 212, item "Deputy," strike out the figures "\$3,584.00" and insert in lieu thereof the figures "\$3,840.00."

On page 11, line 222, item "Total," strike out the figures "\$20,319.32" and insert in lieu thereof the figures "\$20,575.32."

On page 11, line 226, strike out the figures "\$3,584.00" and insert in lieu thereof the figures "\$3,840.00."

On page 11, after line 227, add the following: "227½. Two Inspectors 6,000.00."

On page 11, line 234, item "travel expense," strike out the figures "4,000.00" and insert in lieu thereof the figures "6,000.00."

On page 11, line 237, item "total," strike out the figures "\$13,244.00" and insert in lieu thereof the figures "\$21,500.00."

On page 12, line 267, item "Chief Elevator Accountant," strike out the figures "\$3,584.00" and insert in lieu thereof the figures "\$3,840.00."

On page 13, line 277, item "Total," strike out the figures "\$18,235.00" and insert in lieu thereof the figures "\$18,491.00."

On page 13, line 282, item "Deputy," strike out the figures "3,584.00" and insert in lieu thereof the figures "3,840.00."

On page 14, line 306, item "Total," strike out the figures "\$66,065.34" and insert in lieu thereof the figures "\$66,321.34."

On page 15, line 325, item "Salary" strike out the figures "\$5,000.00" and insert in lieu thereof the figures "\$5,600.00."

On page 16, line 352, item "Executive Secretary" strike out the figures "3,584.00" and insert in lieu thereof the figures "3,840.00."

On page 16, strike out all of line 353.

On page 16, line 367, item "Total," strike out the figures "\$104,872.80" and insert in lieu thereof the figures "\$105,128.80."

On page 17, line 370, item "Salary-Executive Officer," strike out the figures "\$3,584.00" and insert in lieu thereof the figures "\$3,840.00."

On page 17, line 379, item "Total," strike out the figures "\$6,099.00" and insert in lieu thereof the figures "\$6,355.00."

On page 18, after line 412, add the following:

"412a Missouri River Commission	5,000.00"
"412b Missouri River Commission Deficit	2,200.00"

On page 18, line 414, item "Total," strike out the figures "\$12,840.00" and insert in lieu thereof the figures "\$20,040.00."

On page 18, line 417, item "Salary," strike out the figures "\$4,000.00" and insert in lieu thereof the figures "\$3,840.00."

On page 18, line 418, item "Clerkhire", strike out the figures "1,900.00" and insert in lieu thereof "1,000.00."

On page 19, strike out all of lines 420 and 421.

On page 19, line 426, item "Total," strike out the figures "\$6,800.00" and insert in lieu thereof the figures "\$5,540.00."

On page 19, line 431, item "Assistant Adjutant General," strike out the figures "3,072.00" and insert in lieu thereof the figures "3,592.00."

On page 19, line 433, strike out the figures "1,200.00" and insert in lieu thereof the figures "1,800.00."

On page 19, strike out all of line 434.

On page 19, line 435, strike out the words "Clerk, Returned Soldiers" and insert in lieu thereof the following: "Adjutant

General's Department Clerk and Clerk, Returned Soldiers." And in the same line, strike out the figures "2,400.00" and insert in lieu thereof the figures "2,280.00."

On page 20, line 459, item "Printing," strike out the figures "25,000.00" and insert in lieu thereof the figures "30,000.00."

On page 20, line 462, item "Total," strike out the figures "\$109,500.00" and insert in lieu thereof the figures "\$114,500.00."

On page 21, line 479, strike out the figures "\$1,000,000" and insert in lieu thereof the figures "\$1,000.00."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson 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. 321. A Bill for an Act Providing for the Dissolution of Counties of This State, Providing the Procedure Therefor and Conditions Precedent, Giving Jurisdiction in Relation Thereto to the District Court, Providing for Proclamation by the Governor, Authorizing Attaching Territory of a Dissolved County to Another County for Judicial Purposes, Providing for Future Government and Tax Action, Giving Certain Powers to County Officers of the County to Which Said Territory is Attached, Providing for Liquidation of Indebtedness and Jurisdiction and Duties in Connection Therewith and Providing for Its Obligations and Duties as an Unorganized Territory and the Execution Thereof.

Have had the same under consideration and recommend that the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen 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. 322. A Bill for an Act to Impose a Tax of One Cent Upon the Sale of All Gasoline; Providing for the Collection Thereof and for the Disposition of the Revenue Therefrom; Fixing Penalties for Violation, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

After Section 6, insert "Section 7" and the following:

"This Act shall not be operative provided any law providing for the transfer of approximately one million (\$1,000,000) Dollars of funds from the Hail Department surplus is held valid and becomes operative."

Renumber "Section 7" to read "Section 8."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen 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. 329. A Bill for an Act to Provide Revenue to the State by Imposing a Tax Upon the Sale of Electricity and Electric Power Consumed Within This State; Providing for the Manner of Collecting the Tax, and Penalty for Violation of This Act.

Have had the same under consideration and recommend that the same be amended as follows:

After "Section 2" insert the following:

"Section 3. This Act shall not be operative provided any law providing for the transfer of approximately one million dollars (\$1,000,000) of funds from the Hail Department surplus is held valid and becomes operative."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. President: Your Committee on Insurance to whom was referred:

Senate Bill No. 323. A Bill for an Act Amending and Re-enacting Section 4924 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913; Levying a Tax Upon Certain Insurance Companies Doing Business in This State, Providing How Levied, Amount of Tax, Proceeds—How Appropriated, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

W. E. MATTHAEI,
Chairman.

Senator Matthaei moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Coffey moved that the vote by which Senate Bill No. 323 was indefinitely postponed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 327. A Bill for an Act Providing for the Disposition of One Million Dollars from the State Hail Insurance Permanent Surplus Fund; Declaring That the Said Permanent Surplus Fund Exceeds the Amount Needed to Carry Out the Purpose for Which Said Fund was Created by the Sum of One Million Dollars; Providing the Manner and Means of Disposing and Disbursing Said Surplus, and Declaring an Emergency in Connection Therewith.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2 of the original bill, strike out all of lines 4, 5, 6, and 7.

On page 3 of the original bill, in line 20, place a period after the word "derived" and strike out the balance of the line. Also strike out all of lines 21, 22 and 23.

After the Enactment Clause on page 3 of the original bill, strike out the balance of the bill and insert in lieu thereof, the following:

Section 1. REFUND.) That the Hail Insurance Permanent Surplus Fund, as now constituted, exceeds the needs of the Hail Insurance Department by One Million (\$1,000,000) Dollars, and that the said Permanent Surplus Fund exceeds the purpose for which said Fund was created, by One Million (\$1,000,000) Dollars, and that the Commissioner of Insurance is hereby ordered and directed to transfer the sum of One Million (\$1,000,000) Dollars out of said Permanent Surplus Fund in the manner as in this Act provided.

Immediately upon taking effect of this Act, the Commissioner of Insurance shall pay the sum of One Million (\$1,000,000) Dollars to the Treasurer of the several Counties of the State, in the following proportions: Such payment to each of the said County Treasurers shall be an amount bearing the same ratio to the total amount paid to all County Treasurers as the number of acres of tillable land upon which the one cent per acre flat tax was levied in the

year 1927 in such County bears to the total number of acres so taxed in the entire State in the year 1927.

Section 2. APPORTIONMENT BY COUNTY TREASURER.) Upon receipt of such payment by the County Treasurer in each County, it shall be the duty of each County Treasurer to apportion said refund to the several school districts within the County in the same proportion as the number of tillable acres within each school district bears to the total number of tillable acres within the County on which the flat tax was levied in the year 1927.

Section 3. DISPOSAL OF FUNDS BY SCHOOL DISTRICTS.) The funds so received by the various school districts are to be used solely for the purpose of paying current expenses and shall, in no event, be used for the purpose of retiring past due obligations or indebtedness.

Section 4. REPEAL.) All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 5. EMERGENCY.) This Act is declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 326. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 172, of the Session Laws of 1929, Which Authorizes and Empowers Cities, Towns or Villages to Purchase, Erect, Operate and Maintain or Lease Electric Light and Power Plant, Electric Distribution System and Transmission Line, Telephone Plant or Parts or Systems or Lines as Provided in the Act, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

After the word "lines" of the original bill, in line 6, of the title, insert the following: "or waterworks, mains, distribution system and/or equipment or appliances connected therewith."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 328. A Bill for an Act Authorizing the State Forester to Accept, Acquire or Lease Land for State Forests and State Parks; Providing for the Management and Development Thereof and the Dispositino of Income From Such Lands.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 192. A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; Providing for the Printing of All Matters Coming Under Class 5 of State Printing; Providing for Each State Department of Office to Designate Newspaper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost Thereof and Repeal all Acts and Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2 of the "engrossed bill," Section 2, line 2, after the words "printing of," strike out the words "envelopes and letterheads used as stationery" and insert in lieu thereof the words "all matters."

Add "Section 3" (after Section 2) as follows:

"Section 3. REPEAL.) All Acts and parts of Acts in conflict herewith are hereby repealed."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 26, 1935.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 263. A Bill for an Act Amending and Re-enacting Section 2 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Acts Amendatory Thereof; Section 3C, Section 3G and Section 3G (1) of Chapter 260 of the Session Laws of North Dakota for the Year 1929; Sub-section B, Sub-section D and Sub-section I of Section 4 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 as Amended by Chapter 314 of the Session Laws of North Dakota for the Year 1931; Section 10-1 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Acts Amendatory Thereof; Section 13 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, All Constituting Parts of the Workmen's Compensation Act of the State of North Dakota and Further Making it Illegal to Employ Workers Not Protected by Workmen's Compensation Insurance and Giving the Workmen's Compensation Bureau Power to Enjoin Such Unlawful Employments.

Also,

House Bill No. 220. A Bill for an Act to Prohibit Dancing In, On, Or About Places Where the Licensed Sale or Distribution of Wines, Beer or Vinous Liquor is Conducted, and Providing the Penalty for Violation, Declaring an Emergency.

Also,

House Bill No. 281. A Bill for an Act to Amend and Re-enact Section 7812 of the Compiled Laws of North Dakota for the Year 1913, Relating to Non-resident and Foreign Corporations Furnishing Surety for Costs When Plaintiffs and Excepting from the Operation Thereof, Corporations That Are Agencies or Instrumentalities of the United States of America.

Also,

House Bill No. 289. A Bill for an Act to Amend and Re-enact Subdivision 4 of Section 4 and Sections 13 and 14 of Chapter 97 of the Session Laws of 1933.

Also,

House Bill No. 310. A Bill for an Act Establishing Methods for Determining Division Lines Between Adjoining Owners of Agricultural Lands; Authorizing Survey by County Surveyor and Requiring Adjoining Owners to Share the Expense; Providing Methods for Collecting Said Expense.

Also,

House Bill No. 172. A Bill for an Act Providing for the Establishment of Voting Precincts in All Independent and Special School Districts; Requiring Establishment of Polling Places for Each 3000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 196. A Bill for an Act Providing for the Creation and Establishment of a Labor Division Within the Department of Agriculture and Labor, and Providing for the Qualification and Making Provision for the Appointment of a Deputy Within the Department of Agriculture and Labor, to Represent Labor.

Also,

House Bill No. 234. A Bill for an Act Relating to Foreclosure of Real Estate Mortgages Held by the State of North Dakota as Security for Investment of Permanent School Funds, Authorizing the Board of University and School Lands to Accept From Record Title Owner Deed of Conveyance of Mortgaged Land in Lieu of Foreclosure, Affect of Such an Deed, Dispensing With Execution and Delivery of Power of Attorney in Conducting Proceedings for the Foreclosure of Such Mortgages, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 287. A Bill for an Act Creating and Establishing a Lien in Connection With the Planting, Cultivation and Harvesting of Sugar Beets, to Be Known as Sugar Beet Crop Production Lien, Providing the Manner in Which Such Lien Shall Be Perfected, the Priority Thereof, and Declaring an Emergency.

Also,

House Bill No. 267. A Bill for an Act to Authorize, Upon the Option of the Voters, the Creation of a Light and Power Users Commission in Any Organized Town, Village, or City in the State of North Dakota.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1935.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 164. A Bill for an Act Creating Official Board to Be Known as "North Dakota Poultry Improvement Board" for the Purpose of Improving Poultry Breeding, Control and Eradication of Communicable Poultry Diseases, Authorizing Board to Formulate Plans, to Prescribe, Adopt and Enforce Rules and Regulations for Inspection, Testing and Certifying Poultry Hatcheries and Poultry Breeding Flocks for Breed Improvement in Accordance With Federal Regulations, Authorizing State Livestock Sanitary Board

to Prescribe, Adopt and Enforce Rules and Regulations Testing, Approving, and Passing, as Free From Certain Diseases, Poultry Breeding Flocks, Prescribing License Fees and Fees for Service, Providing for Funds to Administer and Enforce This Act, and Fixing Penalties for Violations.

Also,

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 2761 of the Compiled Laws of the State of North Dakota for 1913 as Amended by Chapter 64, Session Laws of 1915, Prohibiting the Sale of Purebred Cattle or Cattle Represented to Be Purebred, for any Other Purpose Except Slaughter, Unless Accompanied by a Certificate of Health, and Providing a Penalty Therefor.

Also,

House Bill No. 325. A Bill for an Act to Restore the Motor Vehicle Registration Fund to the Highway Department.

Also,

House Bill No. 328. A Bill for an Act for the Transfer of License Tags Required for Trucks Engaged in Commercial Freighting, as Provided by Sub-division C of Section 5 of Chapter 186 of the Session Laws of 1931, to Another Truck Owned by the Same License Holder, Upon the Sale or Destruction of Such Commercial Freighting Truck, so Licensed; Prohibiting Automobile Dealers from Permitting the Use of A Dealers License by Another Dealer and Providing Penalty Therefor.

Also,

House Bill No. 329. A Bill for an Act Relating to Transportation or Amounts Allowed in Lieu Thereof, and Providing for Division Among Families; Repealing Acts in Conflict.

Also,

House Bill No. 347. A Bill for an Act Relating to Relief and Rehabilitation Work Carried on in North Dakota by the Federal Emergency Relief Administration Through the North Dakota Rural Rehabilitation Corporation; Exempting From Taxation Moneys and/or Credits Coming Into the Possession of or Belonging to the North Dakota Rural Rehabilitation Corporation as a Result of Any Federal Grant or Gift for Relief or Rehabilitation Purposes, and Authorizing the State Treasurer, in Event of Dissolution of the North Dakota Rural Rehabilitation Corporation, to Accept Funds and Property on Hand or Belonging to the Corporation at the Time of Dissolution.

Also,

House Bill No. 360. A Bill for an Act Giving Preference to North Dakota Bidders and Sellers; Defining Such North

Dakota Bidders and Sellers, and Prescribing the Nature of Preference to Be Given.

Also,

House Bill No. 330. A Bill for an Act to Provide for the Creation of County Parks and for the Organization of a Board of County Park Commissioners and for the Regulation and Control of Said County Parks and Lands Adjacent Thereto.

Also,

House Bill No. 185. A Bill for an Act Requiring the Commissioner of Insurance to Deposit All Receipts of the Department With the State Treasurer, and Providing for the Establishment of an Insurance Department Operating Account, and Requiring All Expenses of the Insurance Department to Be Paid Out of Such Insurance Department Operating Account. Repeal.

Also,

House Bill No. 213. A Bill for an Act Creating the State Athletic Commission, Prescribing its Powers and Duties, Providing Penalties for Violations and Repealing all Acts or Parts of Acts in Conflict Herewith.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1935.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 210. A Bill for an Act to Amend and Re-enact That Portion of Section 2166 of the Supplement to the Compiled Laws of 1913 as Was Amended and Re-enacted by Sub Section (b) of Section 1 of Chapter 279 of the 1931 Session Laws Relating to the Collection of Personal Property Taxes; Providing for Publication of Personal Property Tax List in Newspapers Nearest the Taxing District. Repeal.

Also,

House Bill No. 276. A Bill for an Act Relating to Special Election for Removal of County Seats in Certain Counties, and Petition Therefor, Providing for Preliminary Resolutions by the Board of County Commissioners and Publication Thereof, Notice of Election, Election—How Conducted, and County Seat Designated, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 278. A Bill for an Act Authorizing the State of North Dakota to Manufacture, at its Own Cost, for its Own Use, the Hoiland Economy Road Planer, and Pay the Patentee, Albert Hoiland, the sum of \$5.00 for Each Planer so Manufactured and Used.

Also,

House Bill No. 193. A Bill for an Act Prohibiting the Deposit of Any Public Funds by Any State, County, School Township or Any Board or Commission in Any Bank, Unless at Least 51% of the Stock of Said Bank is Owned by Actual Residents of the State of North Dakota.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

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. 324. A Bill for an Act Authorizing and Empowering the Industrial Commission of the State of North Dakota to Take Such Action as May Be Proper and Necessary to Cooperate with the Emergency Conservation Work Projects of the Federal Government on State, County and Municipally owned Lands, Authorizing the Industrial Commission to Enter Into Such Contracts and Agreements as Are Permissible Under the State Constitution with Municipalities and Private Individuals for the Carrying on of Such Emergency Conservation Work Projects, Making it the Duty of Such Commission to Make a Report of its Proceedings Under This Act to the Next Legislative Assembly, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

Senate Bill No. 325. A Bill for an Act to Amend and Re-enact Section 4, of Chapter 123 of the Session Laws of 1919, an Act to Create a State Board of Electricians and Prescribing the Duties Thereof; Providing for the Classifica-

tion, Examination and Licensing of Electricians and Electrical Workers, Prescribing Fees for Such Examination and License, and Providing for Inspection of Electrical Work by the State Fire Marshal Under Direction of the State Board as Said Section is Found in Section 4 of Chapter 139 of the Session Laws of 1927.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

Mr. President: Your Committee on Banks and Banking to whom was referred:

Senate Bill No. 27. A Bill for an Act to Amend Section 6072 of the Supplement to the 1913 Compiled Laws of the State of North Dakota Prescribing the Legal Rate of Interest for any Legal Indebtedness.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. FINE,
Chairman.

Senator Fine moved that the report be adopted, which motion prevailed and the report was adopted.

A majority of the Committee on State Affairs made the following report:

Mr. President: A majority of your Committee on State Affairs to whom was referred:

Senate Bill No. 253. A Bill for an Act to Amend and Re-enact Sections 3176a1, 3176a2, 3176a3, 3176a4, 3176a5, and 3176a6 of the 1925 Supplement to the Compiled Laws of the State of North Dakota, Relating to Designation of State, County and Municipal Official Newspapers.

Have had the same under consideration and recommend that the same be indefinitely postponed.

GUST WOG,
ALEX LIND,
A. A. TROVATTEN,
A. W. FOWLER,
E. C. STUCKE,
J. P. CAIN,
E. E. GREENE,
W. S. HANDLEY,
HARRY PETERSON,
A. F. BONZER, Jr., Chairman.

A minority of the Committee on State Affairs made the following report:

Mr. President: A minority of your Committee on State Affairs to whom was referred:

Senate Bill No. 253. A Bill for an Act to Amend and Re-enact Sections 3176a1, 3176a2, 3176a3, 3176a4, 3176a5, and 3176a6 of the 1925 Supplement to the Compiled Laws of the State of North Dakota, Relating to Designation of State, County and Municipal Official Newspapers.

Have had the same under consideration and recommend that the same do pass.

JOHN L. MIKLETHUN.

Senator Brostuen moved that the report of the majority be adopted.

Senator Miklethun moved as a substitute motion that the word "minority" be substituted for the word "majority."

Which motion was lost.

The question being on the motion of Senator Brostuen that the report of the majority be adopted, the motion prevailed and Senate Bill No. 253 was indefinitely postponed.

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. 311. A Bill for an Act to Authorize Building and Loan Associations to Insure Members' Investments in Federal Savings and Loan Insurance Corporation and to Provide for the Conversion of Building and Loan Associations and Other Home Financing Organizations Into Federal Savings and Loan Associations, Prescribing the Procedure Therefor, Defining the Results Thereof, and Providing for the Indebtedness of Such Associations, and Declaring an Emergency.

Also,

Senate Bill No. 315. A Bill for an Act to Amend and Re-enact Section 4688a11 of the Supplement to the Compiled Laws of North Dakota, of 1913, Relating to Abolition of Railroad Crossings, the Construction and Maintenance of Overhead and Underground Crossings and Separate Grades and Providing for the Apportionment of the Costs Thereof.

Also,

Senate Bill No. 313. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the

Public Revenue to Be used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; to Make an Appropriation for the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

And find the same correctly engrossed.

T. E. WHELAN,
Chairman.

Senator Whelan 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. 91. A Bill for an Act Requiring Issuance of Receipt for Road Tax Paid Interstate Carriers, and Requiring Posting of Receipts.

Also,

SENATE CONCURRENT RESOLUTION "E"

Also,

SENATE CONCURRENT RESOLUTION "P"

And the President signed the same in presence of the Senate.

REPORT OF STANDING COMMITTEES

The Committee on Education made the following report:

Mr. President: Your Committee on Education, to whom was referred:

Senate Bill No. 231. A Bill for an Act Amending and Re-enacting Sections 1495, and 1526 of the Compiled Laws of the State of North Dakota for the Year 1913, and Amending and Re-enacting Sections 1518, 1521 and 1523, of the Compiled Laws of the State of North Dakota for the Year 1919 as Amended by Chapter 161 of the Session Laws of the State of North Dakota for the Year 1919, Relating to and Modifying the Provisions of the Teachers' Insurance and Retirement Fund, and Repealing Section 1522 of the Compiled Laws of the State of North Dakota for the Year 1913.

Have had the same under consideration and recommend the same be amended as follows:

On page 2 of the printed bill, Section 1495, strike out lines 12 and 13 and insert in lieu thereof the following:

"The nominations for these three members shall come from the three district educational association meetings; such nominations shall be by ballot and the person receiving the majority of the votes cast at each of said educational associations shall respectively be the candidates for the elective members of the board."

On page 2 of the printed bill, Section 1521, lines 5, 6 and 7, strike out the following: "Each year the board shall engage an actuary to make necessary computations to establish annuities for the annuitants for the ensuing year," and insert in lieu thereof the following: "Until such time as the board shall be able to gather the factual data on which to base an actuarial computation of the pensions, the Actuary of the State Insurance Commissioner, each year, shall make recommendations on the basis of which the board shall establish annuities for the annuitants for the ensuing year."

On page 2 of printed bill strike out all of Section 3.

On page 2, renumber "Section 4" to read "Section 3."

On page 3 of printed bill, Section 1523, in line 10, beginning with the words "the total amount," strike out balance of line 10 and strike out all of lines 11 to 17 inclusive, and insert in lieu thereof the following:

"40% up to 3 years

"50% after 3 years and up to 6 years

"60% after 6 years and up to 10 years

"75% after 10 years and up to 15 years

"85% after 15 years and up to 18 years

"100% after 20 years, without interest."

On page 4 of printed bill, renumber "Section 5" as "Section 4."

And when so amended recommend that the bill do pass.

A. S. MARSHALL,
Chairman.

Senator Marshall 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. 77. A Bill for an Act Amending Section 1674 of the Compiled Laws of North Dakota, 1913, Relating to School of Forestry of Bottineau, North Dakota, Limiting the Object of Said School, and Permitting, Under Supervision of the Board of Administration, the Use by the North Dakota State Tuberculosis Sanatorium of Part of Its

Grounds and Buildings Not Exclusively Used and Necessary for Such Object, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2 of the printed bill, strike out all of Section 2.

On page 3 of the printed bill, line 1, strike out the figure "3" and insert in lieu thereof the figure "2."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted.

Senator Erickson moved as a substitute motion that further consideration of Senate Bill No. 77 be indefinitely postponed.

Senator Wog demanded a Roll Call.

A Roll Call was granted.

ROLL CALL

The question being on the substitute motion of Senator Erickson to indefinitely postpone Senate Bill No. 77, 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.
Braaten	Gronvold	McGillic
Cain	Jones	Nelson, Grand Fks.
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Dubay	Kroeber	Stucke
Erickson	Lemke	Vinje
Ettestad	Lowe	Watt
Fowler	Lynn	Whelan
Fredrickson	Marshall	Young
Greene, Cavalier	McDonald	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Drew	Lind	Thorson
Eastgate	Matthaei	Topp
Fine	Miklethun	Trout
Greene, Stutsman	Mutchler	Trovatten
Handley	Nelson, Barnes	Wog
Johnson	Owings	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Brostuen	Thatcher

So the motion prevailed and Senate Bill No. 77 was indefinitely postponed.

Senator Erickson moved that the vote by which Senate Bill No. 77 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 26, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 110. A Bill for an Act Declaring the Draining of a Meandered Lake Within the State of North Dakota to Be a Misdemeanor and Providing Penalties Therefor.

Also,

Senate Bill No. 91. A Bill for an Act Requiring Issuance of Receipt for Road Tax Paid Interstate Carriers, and Requiring Posting of Receipts, and Providing a Penalty for Violation Thereof, and Declaring an Emergency.

Also,

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 138 of the 1933 Session Laws of the State of North Dakota Relating to Hail Tax Refund.

Also,

SENATE CONCURRENT RESOLUTION "E"

Also,

SENATE CONCURRENT RESOLUTION "P"

Which the President has signed and your signature is respectfully requested.

Also return:

HOUSE JOINT RESOLUTION "B-3"

Which the Senate has indefinitely postponed.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 26, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance and a New Building

for the State Hospital for the Insane at Jamestown, North Dakota, and for the Construction and Equipment of a New Building at Said Hospital; Permitting the Use of Labor of Inmates in the Construction and Equipment of Such New Building; Imposing Certain Duties on the Board of Administration in Connection Therewith; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 266. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Re-touch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation, and Declaring an Emergency.

Also,

Senate Bill No. 261. A Bill for an Act Transferring a Sum of Fifty Thousand Dollars from the General Fund to the "Returned Soldiers Fund" Heretofore Transferred from the Returned Soldiers Fund to the General Fund Under the Provisions of Chapter 82 of the Session Laws of 1931, and Declaring an Emergency.

Also,

Senate Bill No. 249. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend the Present Sewerage System of the State Penitentiary to Connect With the City of Bismarck System of Sewerage, Providing for the Use of Prison Labor, or to Make Provision for its Construction by Governmental Agency; Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 219. A Bill for an Act Providing That No Fee Shall Be Charged or Collected for the Recording or Filing of Any Document Required by the United States or the State of North Dakota for Any Water and/or Wild-life Conservation Project; Repealing All Acts or Parts of Acts in Conflict Herewith, Declaring an Emergency.

Also,

Senate Bill No. 218. A Bill for an Act Providing That the State and the Several Counties of the State Are Authorized to Acquire by Purchase, Exchange, Gift, Condemnation or Otherwise the Title to Any Land Within the Same Political Subdivision for the Purpose of Establishing Any Public Park or Recreational Area, or for the Purpose of Constructing, Maintaining and Operating Any Water and/or Wild-life Conservation Project; Providing That All Lands to Be Purchased or Exchanged Under Authority of This Act Shall Be Appraised by the Existing Appraisal Agencies of the

Parties to the Contract; Providing That Where No Such Appraisal Agency Exists the County Board of Commissioners Shall Determine the Value Thereof, and Providing That No Land Shall Be Purchased for More Than the Appraised Value, nor Shall Any Lands Owned by the State or the Several Counties Be Exchanged Except for Lands of an Equal Appraised Value; Providing That the State of North Dakota Shall Reserve All Mineral Rights to All State Lands Transferred Under Authority of This Act; Providing a Saving Clause; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 226. A Bill for an Act to Amend and Re-enact Sections 8320a13, 8320a14, 8320a19, 8320a20 and 8320a22 of the Supplement to the Compiled Laws of 1913, Relating to Flood Irrigation Projects, and Declaring an Emergency.

Also,

Senate Bill No. 57. A Bill for an Act to Amend and Re-enact Chapter 185 of Session Laws of 1929 and Section 3 of Chapter 211, Session Laws of 1927, Relating to the Regulation of the Practice of Pharmacy, and Declaring an Emergency.

Also,

Senate Bill No. 183. A Bill for an Act Authorizing and Empowering the Governing Board of Any Political Subdivision to Compromise and Settle Obligations Other Than Taxes Due and Owing to or Held by Such Political Subdivisions, Validating Settlements Heretofore Made, and Declaring an Emergency.

Also,

Senate Bill No. 69. A Bill for an Act to Amend and Re-enact Article IV, Sections 1151, 1155, 1158, and Article V, Sections 1160 and 1162 of the Compiled Laws of North Dakota, 1913, Providing the Manner of Holding and Fixing the Date for Annual School Elections in Common School Districts; Providing How and When Reports of Clerk and Treasurer Shall Be Made; Also Providing Date When School Officers Shall Qualify and When Annual Budget and Levy Shall Be Made.

Also,

Senate Bill No. 185. A Bill for an Act Defining the Jurisdiction of Police Magistrates and City Justices of the Peace in Criminal Actions in Cities of Five Thousand Inhabitants or More in Counties Wherein the County Court Does Not Have Increased Jurisdiction; Qualifications and Fees of Said Police Magistrate and City Justices of the Peace; Procedure, Jurors and Officers in Said Police Magistrate Courts and Courts of Said City Justices of the Peace; Limitations of

Jurisdiction of Justices of the Peace in Said Cities; and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 180. A Bill for an Act to Amend and Re-enact Section 860 of the Compiled Laws of North Dakota of the Year 1913, and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

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. 260. A Bill for an Act Creating a State Highway Patrol for the State of North Dakota; Authorizing the Attorney General to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Amending Chapter 102 of the Session Laws of North Dakota for the Year 1933 Relating to Bureau of Criminal Identification; Fixing Compensation and Providing for Disposition of Fines Collected; and Declaring an Emergency.

Also,

Senate Bill No. 264. A Bill for an Act Relating to Licensing of Motor Vehicle Operators and Chauffeurs and to the Liability of Certain Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fee to be Paid; Providing for Examination of Applicant; Providing for Suspension or Revocation of License; Making Disposition of Fees Collected; Providing for Penalty for Violating Act; Repealing All Acts in Conflict Herewith.

Also,

Senate Bill No. 294. A Bill for an Act to Amend and Re-enact Section 2346a11 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 253 of the 1933 Session Laws; Section 2346a20 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 4 of Chapter 253 of the 1933 Session Laws; Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Sub-section 4 of Section 4 of Chapter 283 of the 1931 Session Laws, Relating to the Taxation of Income of Individuals, Fiduciaries

and Corporations; Repealing That Portion of Section 2346a46 of the Supplement to the Compiled Laws of 1913 as was Amended and Re-enacted by Paragraph (b) of Sub-section 4 of Section 6 of Chapter 283 of the 1931 Session Laws and Repealing Sub-section 7 of Section 4 of Chapter 283 of the 1931 Session Laws, and Repealing Sub-section 7 of Section 2346a30 of the 1925 Supplement to the Compiled Laws, and All Other Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION No. A-b

A Concurrent Resolution Urging Upon Congress the Passage of All Necessary Laws to Re-establish the Issuing of Money as a Monopoly of Government, and That There Be Established a System of Government Banks, Exclusively Owned, to the End That a Bank System Be Provided for the People at Cost.

Also,

SENATE CONCURRENT RESOLUTION No. X

A Concurrent Resolution Endorsing Proposed Shelterbelt Project.

And find the same correctly engrossed.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

Also,

Senate Bill No. 185. A Bill for an Act Defining the Jurisdiction of Police Magistrates and City Justices of the Peace in Criminal Actions in Cities of Five Thousand Inhabitants or More in Counties Wherein the County Court Does Not Have Increased Jurisdiction; Qualifications and Fees of Said Police Magistrate and City Justices of the Peace; Procedure, Jurors and Officers in Said Police Magistrate Courts and Courts of Said City Justices of the Peace; Limitations of Jurisdiction of Justices of the Peace in Said Cities; and Repealing All Acts and Parts of Acts in Conflict Therewith.

And find the same correctly re-engrossed.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF STANDING COMMITTEES

The Committee on Agriculture made the following report:

Mr. President: Your Committee on Agriculture to whom was referred:

Senate Bill No. 314. A Bill for an Act Creating the Department of Seeds Under the Control and Supervision of the Commissioner of Agriculture and Labor; Defining the Powers and Duties of Said Commissioner; Transferring to Said Department of Seeds the Powers and Duties Now Held by the State Seed Commissioner and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

HERMAN THORSON,
Chairman.

Senator Thorson moved that the report be adopted.

Senator Stucke moved as a substitute motion that Senate Bill No. 314 be placed upon the calendar.

Which motion prevailed.

Senator Thorson moved that the Senate adjourn.

Which motion prevailed.

FIFTIETH DAY

Senate Chamber,
Bismarck, North Dakota,
February 26, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. O. O. Andvik.

Roll call: All Senators were present except Senator Thatcher.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-fifth day after recess and the Forty-ninth day and recommend that the same be corrected as follows:

On page 23, strike out the last three lines at the bottom of the page, and insert in lieu thereof the following:

"House Bill No. 158. A Bill for an Act to Amend Section 2817 of the Compiled Laws of North Dakota for the Year 1913, Relating to Noxious Weeds, the Definition of Noxious Weeds and the Manner of Destroying the Same."

On page 41, line 6, after the word "adopted," insert a "comma" and the words: "Which motion prevailed."

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

Senator Owings moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Owings moved that all absent Senators be excused.

Which motion prevailed.

SENATE CONCURRENT RESOLUTION NO. "A-g"

Introduced by Senators McDonald and Fine

WHEREAS, equal educational opportunity for all children, although essential to true democracy, is today unfairly denied to millions of American children; and

WHEREAS, the welfare of the entire nation depends on an alert and educated citizenry; and

WHEREAS, many school districts have so little taxable wealth that, despite heavy tax rates, they will continue to be unable to maintain adequate schools, while in other parts of the nation vast amounts of taxable wealth have been accumulated which are truly the result of the toil of people throughout the nation; and

WHEREAS, the North Dakota Federation of Teachers and the American Federation of Teachers, affiliated with the American Federation of Labor, have adopted resolutions asking for national support of education:

THEREFORE BE IT RESOLVED, That it is the opinion of the Senate of North Dakota, the House of Representatives concurring, that the national government should, as a permanent policy, share the financial cost of education of all school children; and

BE IT FURTHER RESOLVED, That the Senate of North Dakota, the House of Representatives concurring, most respectfully urge upon the Congress of the United States the early enactment of legislation providing that the national government pay to each school district twenty-five dollars (\$25.00) a year for each child enrolled.

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.

Referred to the Committee on Education.

SENATE CONCURRENT RESOLUTION "A-h"

Introduced by Senator Thorson

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING:

WHEREAS, During the present depression, the original cost of producing meat and grain products is greatly in excess of the price now realized by the sale of the same, and that by reason thereof farmers are unable to pay their bills and debts, and each year find themselves further behind with their debts and obligations, and if the above situation continues for any additional length of time, the farmers will lose their homes and all; and

WHEREAS, During the time farmers are operating at a loss they cannot be purchasers of other manufactured products and such industries will, in turn, fail for lack of business; and that all business of every kind and nature will be affected by this injustice to agriculture; and

WHEREAS, It follows that every kind of business located in the agricultural communities must rise or fall with the farmers, and that the important, and absolutely essential industry of agriculture cannot be stricken down without causing disaster to the country as a whole; and

WHEREAS, The placing of an embargo on the products mentioned would stabilize the prices thereof and bring such prices more in harmony with the production costs, together with a fair margin of profit, and bring the farmers out of the dire and distressing depression which now affects them,

NOW THEREFORE, Be it Resolved by the Twenty-Fourth Legislative Assembly of the State of North Dakota:

That we respectfully petition the Congress of the United States to pass laws and provide rules and regulations to place an embargo on flax, wheat, hogs, cattle and sheep, and upon pork, beef and mutton products until such time as the prices of said grains, livestock and meat products shall cover the cost of production, and we further petition that the law now permitting wheat to be milled in bond be repealed.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the President of the United States, to both Houses of the Congress of the United States and each member thereof from this state, to the Secretary of Agriculture, and to each house of the Legislative Assembly of those states whose legislatures are now in session.

Referred to the Committee on State Affairs.

SECOND READING OF SENATE BILLS

Senate Bill No. 43. A Bill for an Act to Prevent Fraud and Deception in the Sale of Live Stock Remedies; Providing for the Registration and Labeling of Live Stock Remedies; Authorizing Rules and Regulations for the Administration of This Act; Prescribing the Method of Revocation of Such Registration and Prescribing a Penalty for the Violation Thereof.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Handley	Nelson, Barnes
Cain	Johnson	Nelson, Grand Fks.
Coffey	Jones	Owings
Crandall	Kamrath	Peterson
Drew	Kolpin	Stucke
Dubay	Kroeber	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trout.
Ettestad	Lynn	Vinje
Fowler	Marshall	Watt
Greene, Cavalier	McDonald	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lemke	Strehlow
Brostuen	Matthaei	Thatcher
Fine	McGillic	Trovatten
Fredrickson		

So the bill passed and the title was agreed to.

Senator Miklethun moved that further consideration of Senate Bill No. 255 be indefinitely postponed.

Which motion prevailed, and Senate Bill No. 255 was indefinitely postponed.

Senator Miklethun moved that the vote by which Senate Bill No. 255 was indefinitely postponed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Bonzer moved that Senate Bills Nos. 254 and 29 be placed at the foot of the calendar.

Which motion prevailed.

Senate Bill No. 250. A Bill for an Act to Exempt Grain Warehousemen from Suit for Conversion of Grain Bought, Unless the Instrument Creating Said Interests of Liens Is on File or of Record, or Written Notice of the Existence Thereof Is Given to the Warehousemen.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the

roll was called and there were ayes, 38; nays, 5; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Brostuen	Johnson	Nelson, Grand Fks.
Coffey	Kamrath	Owings
Drew	Kolpin	Peterson
Dubay	Kroeber	Strehlow
Eastgate	Lind	Stucke
Erickson	Lowe	Thorson
Ettestad	Lynn	Topp
Fine	Marshall	Trout
Fowler	Matthaei	Trovatten
Greene, Cavalier	McDonald	Vinje
Greene, Stutsman	McGillic	Watt
Gronvold	Miklethun	Whelan
Handley	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Jones	Young
Crandall	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fredrickson	Thatcher
Cain	Lemke	Wog

So the bill passed and the title was agreed to.

The President pro tem. called Senator Watt to the chair to preside.

Senate Bill No. 227. A Bill for an Act to Amend and Re-enact Chapter 7429 of the 1913 Compiled Laws of the State of North Dakota, Relating to Service of Summons by Publication.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 34; nays, 13; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Brostuen	Gronvold	Peterson
Cain	Johnson	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Topp
Drew	Lowe	Trout
Eastgate	Lynn	Trovatten
Erickson	Marshall	Vinje
Ettestad	Matthaei	Watt
Fowler	McDonald	Whelan

Messrs.	Messrs.	Messrs.
Fredrickson	McGillic	Wog
Greene, Cavalier	Nelson, Grand Fks.	Young
Greene, Stutsman		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Kamrath	Mutchler
Dubay	Lemke	Nelson, Barnes
Fine	Lind	Owings
Handley	Miklethun	Thorson
Jones		

Absent and not voting:

Messrs.	Messrs.
Bonzer	Thatcher

So the bill passed and the title was agreed to.

Senate Bill No. 229. A Bill for an Act Relating to Foreclosure of Mortgage or Other Lien Upon Real Estate Providing for Service of Summons in Actions to Foreclose Mortgage or Other Lien Upon Real Estate; Providing for Personal Service or Service by Publication; Specifying Manner in Which Unknown Defendants and Representatives of Deceased Defendants May Be Joined; Providing That Said Method Shall Be in Addition to Present Remedies.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 33; nays, 10; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Brostuen	Gronvold	Nelson, Barnes
Cain	Johnson	Nelson, Grand Fks.
Crandall	Jones	Peterson
Drew	Kroeber	Strehlow
Dubay	Lind	Stucke
Eastgate	Lowe	Topp
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Stutsman	McGillic	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Kolpin	Mutchler
Greene, Cavalier	Lemke	Owings
Handley	Miklethun	Thorson
Kamrath		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Erickson	Trout
Coffey	Thatcher	Wog

So the bill passed and the title was agreed to.

Senate Bill No. 230. A Bill for an Act to Amend and Re-enact Section 7745 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Notice to Be Given Upon Sale of Real Property Under Execution; Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 33; nays, 10; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Brostuen	Gronvold	Nelson, Barnes
Cain	Johnson	Nelson, Grand Fks.
Coffey	Kamrath	Peterson
Crandall	Kroeber	Strehlow
Drew	Lind	Stucke
Dubay	Lowe	Topp
Eastgate	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Stutsman	McGillic	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Kolpin	Mutchler
Fine	Lemke	Owings
Handley	Miklethun	Thorson
Jones		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Cavalier	Trout
Erickson	Thatcher	Wog

So the bill passed and the title was agreed to.

Senator Matthaei moved that Senate Bill No. 247 be placed at the foot of the calendar.

Which motion prevailed.

Senator Brostuen moved that Senate Bill No. 225 be placed at the foot of the calendar.

Which motion prevailed.

Senate Bill No. 240. A Bill for an Act to Forbid the Compulsory Enrollment of Students in Courses in Military Training and Tactics in State Supported Schools.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, 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.
Brostuen	Kolpin	Owings
Dubay	Lemke	Peterson
Fine	Lind	Stucke
Greene, Cavalier	Marshall	Thorson
Greene, Stutsman	Matthaei	Vinje
Johnson	Miklethun	Whelan
Jones	Mutchler	Wog
Kamrath		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Ettestad	McDonald
Braaten	Fowler	McGillic
Cain	Fredrickson	Nelson, Grand Fks.
Coffey	Gronvold	Strehlow
Crandall	Handley	Topp
Drew	Kroeber	Trovatten
Eastgate	Lowe	Watt
Erickson	Lynn	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Nelson, Barnes	Thatcher	Trout

So the bill was lost.

Senator Bonzer moved that the vote by which Senate Bill No. 240 was lost be reconsidered and the motion to reconsider be laid on the table.

Senator Owings demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the motion of Senator Bonzer, 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.
Bonzer	Fowler	Nelson, Grand Fks.
Braaten	Gronvold	Strehlow

Messrs.	Messrs.	Messrs.
Cain	Jones	Topp
Coffey	Kroeber	Trovatten
Crandall	Lowe	Watt
Drew	Lynn	Whelan
Eastgate	McGillic	Young
Erickson		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Kamrath	Mutchler
Dubay	Kolpin	Nelson, Barnes
Ettestad	Lemke	Owings
Fine	Lind	Peterson
Fredrickson	Marshall	Stucke
Greene, Cavalier	Matthaei	Thorson
Greene, Stutsman	McDonald	Vinje
Handley	Miklethun	Wog
Johnson		

Absent and not voting:

Messrs.	Messrs.
Thatcher	Trout

So the motion was lost.

Senate Bill No. 237. A Bill for an Act to Regulate the Practice of Professional Engineering and Land Survey.

Was read the second time.

ROLL CALL

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.
Bonzer	Jones	Nelson, Grand Fks.
Braaten	Kolpin	Peterson
Cain	Kroeber	Strehlow
Coffey	Lemke	Stucke
Crandall	Lynn	Topp
Drew	Marshall	Trovatten
Dubay	Matthaei	Vinje
Eastgate	McDonald	Watt
Fowler	Mutchler	Whelan
Gronvold		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Handley	Nelson, Barnes
Erickson	Johnson	Owings
Fine	Kamrath	Thorson
Fredrickson	Lind	Wog
Greene, Cavalier	Miklethun	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ettestad	Lowe	Thatcher
Greene, Stutsman	McGillic	Trout

So the bill passed and the title was agreed to.

Senator Bonzer moved that Senate Bill No. 238 be placed at the foot of the calendar.

Which motion prevailed.

Senate Bill No. 295. A Bill for an Act to Permit Boards of County Commissioners to Set Aside and Transfer for Park and Recreational Purposes Lands Acquired by the County Through Tax Deeds, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Stucke
Crandall	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Drew	Jones	Thatcher
Greene, Stutsman	Strehlow	

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senate Bill No. 239. A Bill for an Act Authorizing Any Board or Officer Having the Control or Management of Any Real State Belonging to or Controlled by the State of North Dakota or Any of Its Political Subdivisions to Enter Into Agreements with the United States of America for the Improvement of Said Real Estate by the Establishment and Maintenance of Shelterbelts of Trees and Other Plants and

Necessary Protective Structures and Works Thereon, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thorson
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Erickson	Lowe	Trovatten
Ettestad	Lynn	Vinje
Fine	Marshall	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Drew	Matthaei	Thatcher
Jones	Strehlow	

So the bill passed and the title was agreed to.

Senate Bill No. 236. A Bill for an Act to Regulate Ownership and Operation of Pharmacies, Requiring the Registration and Inspection and Prescribing Penalties.

Was read the second time.

ROLL CALL

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.
Bonzer	Jones	Nelson, Barnes
Braaten	Kamrath	Nelson, Grand Fks.
Brostuen	Kolpin	Peterson
Cain	Kroeber	Strehlow
Coffey	Lemke	Stucke
Crandall	Lind	Topp
Dubay	Lynn	Trovatten
Eastgate	Marshall	Vinje
Fine	Matthaei	Watt

Messrs.	Messrs.	Messrs.
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Erickson	Handley	Owings
Ettestad	Johnson	Thorson
Greene, Cavalier	Lowe	Trout

Absent and not voting:

Messrs.	Messrs.
Drew	Thatcher

So the bill passed and the title was agreed to.

Senator Erickson: "Two years ago this identical bill was introduced and passed in South Dakota. I was informed there was a Supreme Court decision on it, and for that reason I had it looked up.

"The case is State vs Wood, found in 215 N.W. 487, the Supreme Court of South Dakota held the Act unconstitutional on the ground it would prohibit anyone but a druggist selling drugs. Therefore, I vote 'no'."

Senator Ettestad: "I had intended to vote 'yes' on this Bill, but being I have been threatened by this letter as though they wanted to drive me into voting for it, I vote 'no'."

Senate Bill No. 281. A Bill for an Act Relating to the Incorporation of Mutual Aid Non-Profit Corporations, and Defining Their Purposes and Powers and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Crandall	Kroeber	Strehlow
Dubay	Lemke	Stucke
Eastgate	Lind	Thorson
Ettestad	Lowe	Topp
Fine	Lynn	Trout
Fowler	Marshall	Trovatten
Fredrickson	Matthaei	Watt

Messrs.	Messrs.	Messrs.
Greene, Cavalier	McDonald	Whelan
Greene, Stutsman	McGillic	Wog
Gronvold	Miklethun	Young

Those voting in the negative were:

Messrs.	Messrs.
Braaten	Erickson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Drew	Mutchler	Vinje
Jones	Thatcher	

So the bill passed and the title was agreed to.

Senator Fine moved that Senate Bill No. 280 be amended as follows:

Page 3, Section 5, line 4, strike out the word "and."

Which motion prevailed.

Senator Fine moved that the rules be suspended and that Senate Bill No. 280, as amended, be considered properly re-engrossed, and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 280. A Bill for an Act to Provide for the Establishment of County Debt Adjustment Boards, Prescribing the Duties and Powers of Such Boards and the Duties of the Judges and the Clerks of the District Courts as Regards Such Boards.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there ayes, 44; nays, 0; absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Nelson, Barnes
Braaten	Jones	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Coffey	Kolpin	Peterson
Crandall	Kroeber	Strehlow
Dubay	Lemke	Stucke
Eastgate	Lind	Thorson
Erickson	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fredrickson	Matthaei	Watt
Greene, Cavalier	McDonald	Whelan
Greene, Stutsman	McGillic	Wog
Gronvold	Miklethun	Young
Handley	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Fowler	Vinje
Drew	Thatcher	

So the bill passed and the title was agreed to.

Senator Greene of Stutsman moved that Senate Bill No. 276 be amended as follows:

Section 2, page 1, line 6, change the figures "68" to "66."

Which motion was lost.

Senate Bill No. 276. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 177, Laws of North Dakota for 1927 as Amended by Chapter 182, Laws of North Dakota for 1931, Relating to the Coloring of Gasoline by the Use of a Harmless Dye.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 43; nays, 1; absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	Nelson, Barnes
Braaten	Kamrath	Nelson, Grand Fks.
Brostuen	Kolpin	Owings
Coffey	Kroeber	Peterson
Crandall	Lemke	Strehlow
Dubay	Lind	Stucke
Erickson	Lowe	Thorson
Ettestad	Lynn	Topp
Fine	Marshall	Trout
Fredrickson	Matthaei	Trovatten
Greene, Cavalier	McDonald	Watt
Greene, Stutsman	McGillic	Whelan
Gronvold	Miklethun	Wog
Handley	Mutchler	Young
Johnson		

Those voting in the negative were:

Messrs.
Eastgate

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Fowler	Vinje
Drew	Thatcher	

So the bill passed and the title was agreed to.

Senator Eastgate moved that further consideration of Senate Bill No. 283 be indefinitely postponed.

Senator Jones moved as a substitute motion that Senate Bill No. 283 be placed at the foot of the calendar.

Which motion was lost.

The question being on motion of Senator Eastgate to indefinitely postpone Senate Bill No. 283.

Which motion was lost.

Senate Bill No. 283. A Bill for an Act to Amend and Re-enact Section 9606a1 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Declaring it Unlawful to Place Certain Children in Almshouses or Other Institutions Without the Consent of the Board of Administration, With Certain Exceptions, Prohibiting Placing of Certain Children in the State Training School, and Repealing All Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Johnson	Mutchler
Braaten	Jones	Nelson, Barnes
Brostuen	Kolpin	Nelson, Grand Fks.
Coffey	Kroeber	Owings
Drew	Lind	Peterson
Dubay	Lowe	Stucke
Fine	Marshall	Thorson
Fredrickson	Matthaei	Topp
Greene, Cavalier	McDonald	Trout
Greene, Stutsman	Miklethun	Trovatten

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Handley	Strehlow
Crandall	Kamrath	Watt
Eastgate	Lemke	Whelan
Ettestad	Lynn	Wog
Fowler	McGillic	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Thatcher	Vinje

So the bill passed and the title was agreed to.

Senator Lowe: "In view of the fact I have a letter from the Ward County Council, specifically asking that I support this bill. I vote aye."

Senator Watt: "In view of the fact that there is no other place in the state to put those children, I cannot see what else we can do but let them remain there so I will have to vote no."

Senator Cain moved that the Senate do now recess until 7:30 P. M.

Senator Bonzer moved as a substitute motion that the Senate do now recess until 7:00 P. M.

Which motion prevailed.

The Senate re-convened at 7:00 o'clock P. M., President pro tem. Marshall presiding.

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. 326. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 172, of the Session Laws of 1929, Which Authorizes and Empowers Cities, Towns or Villages to Purchase, Erect, Operate and Maintain or Lease Electric Light and Power Plant, Electric Distribution System and Transmission Line, Telephone Plant or Parts of Systems or Lines or Waterworks, Mains, Distribution System and/or Equipment or Appliances Connected Therewith as Provided in the Act, and Declaring an Emergency.

Also,

Senate Bill No. 327. A Bill for an Act Providing for the Disposition of One Million Dollars from the State Hail Insurance Permanent Surplus Fund; Declaring That the Said Permanent Surplus Fund Exceeds the Amount Needed to Carry Out the Purpose for Which Said Fund was Created by the Sum of One Million Dollars; Providing the Manner and Means of Disposing and Disbursing Said Surplus, and Declaring an Emergency in Connection Therewith.

Also,

SENATE CONCURRENT RESOLUTION NO. "W"

A Concurrent Resolution Providing for the Amendment of Section 25 of Article 2 of the Constitution of the State of North Dakota, Relating to the Legislative Power of the State, and the Initiative and Referendum.

And find the same correctly engrossed.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

Also,

Senate Bill No. 192. A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; Providing for the Printing of All Matters Coming Under Class 5 of State Printing; Providing for Each State Department or Office to Designate Newspaper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost Thereof and Repeal all Acts and Parts of Acts in Conflict Herewith.

And find the same correctly re-engrossed.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Greene of Cavalier moved that Senate Bill No. 111 be placed at the head of the calendar.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 111. A Bill for an Act Defining and Relating to Narcotic Drugs; Specifying the Persons Who May Sell, Prescribe, and Have Such Drugs in Their Possession; Establishing Regulations for the Manufacturer and Sale Prescription; Providing for License; Fixing Penalty for Violation of the Law and Repealing All Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 21; nays, 12; absent and not voting 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	McGillic
Brostuen	Handley	Mutchler
Cain	Johnson	Owings
Coffey	Kroeber	Peterson
Eastgate	Lynn	Thorson
Fowler	Marshall	Topp
Fredrickson	McDonald	Whelan

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Lind	Strehlow
Drew	Miklethun	Trovatten

Messrs.	Messrs.	Messrs.
Dubay	Nelson, Barnes	Watt
Greene, Cavalier	Nelson, Grand Fks.	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Kamrath	Stucke
Erickson	Kolpin	Thatcher
Ettestad	Lemke	Trout
Fine	Lowe	Vinje
Gronvold	Matthaei	Young
Jones		

So the bill was lost.

Senator Cain moved that the vote by which Senate Bill No. 111 was lost be reconsidered.

Which motion prevailed.

Senator Cain moved that Senate Bill No. 111 be given the twentieth place on the calendar.

Which motion prevailed.

Senate Bill No. 279. A Bill for an Act Amending and Re-enacting Section 4440a1 and 4446 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to Custody and Assignment of Children Prohibited in Certain Cases, Requiring Consent in Writing for Adoption of Child, Prohibiting Transfer of Guardianship Without Notice to the Board of Administration, Petition for Adoption, Notice to Board of Administration, Report of Board, Petition When Granted, and Repealing All Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 37; nays, 2; absent and not voting 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kroeber	Strehlow
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	McDonald	Whelan
Fowler	Miklethun	Wog
Fredrickson	Mutchler	Young
Greene, Cavalier		

Those voting in the negative were:

Messrs.	Messrs.
McGillic	Watt

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Kolpin	Stucke
Erickson	Low	Thatcher
Gronvold	Matthaei	Vinje
Kamrath		

So the bill passed and the title was agreed to.

Senator Cain moved that Senate Bill No. 134 be amended as follows:

In line 42, page 3 of the printed bill, strike out the period and insert a semi-colon and add the following language:

“Provided further that no banking institution shall be authorized to move into a town in which there is already one or more banking institutions unless it have a capital and surplus at least equal to that of the smaller of the institutions already there established.

Which motion was lost.

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931, Relating to Capital Stock of Banks.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 38; nays, 3; absent and not voting 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Coffey	Kroeber	Strehlow
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Low	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	
Cain	Gronvold	Nelson, Grand Fks.

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Kolpin	Thatcher
Erickson	Matthaei	Vinje
Kamrath	Stucke	

So the bill passed and the title was agreed to.

Senate Bill No. 297. A Bill for an Act Providing for the Cancellation of Record of Certain Chattel Mortgages and Certain Written Agreements Relating to Personal Property, by the Register of Deeds, for Cancelling Certain Bills of Sale, Requiring Assignments of Chattel Mortgages to Be Filed Before the Filing of Affidavit of Renewal or Satisfaction, and Repealing All Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kroeber	Strehlow
Drew	Lemke	Stucke
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Kolpin	Thatcher
Erickson	Matthaei	Vinje
Kamrath		

So the bill passed and the title was agreed to.

Senate Bill No. 13. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota, and its Branch Stations.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Drew	Lemke	Stucke
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Kamrath	Thatcher
Erickson	Matthaei	Vinje

So the bill passed and the title was agreed to.

Senator Bonzer moved that the vote by which Senate Bill No. 13 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 15. 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.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Drew	Lemke	Stucke
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Ettestad	Lynn	Trout

Messrs.	Messrs.	Messrs.
Fine	Marshall	Trovatten
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Kamrath	Thatcher
Erickson	Matthaei	Vinje

So the bill passed and the title was agreed to.

Senator Bonzer moved that the vote by which Senate Bill No. 15 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Drew	Lemke	Stucke
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Kamrath	Thatcher
Erickson	Matthaei	Vinje

So the bill passed and the title was agreed to.

Senator Bonzer moved that the vote by which Senate Bill No. 16 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 19. 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 second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 33; nays, 11; absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Handley	Mutchler
Cain	Johnson	Nelson, Barnes
Coffey	Jones	Nelson, Grand Fks.
Drew	Kolpin	Owings
Dubay	Lind	Peterson
Eastgate	Lowe	Strehlow
Fowler	Lynn	Topp
Fredrickson	Marshall	Trovatten
Greene, Cavalier	McDonald	Watt
Greene, Stutsman	McGillic	Whelan
Gronvold	Miklethun	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Fine	Thorson
Brostuen	Kroeber	Trout
Erickson	Lemke	Wog
Ettestad	Stucke	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Matthaei	Vinje
Kamrath	Thatcher	

So the bill passed and the title was agreed to.

Senator Watt 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.

Senator Bonzer: "I see no justification in increasing appropriations to particular institutions. Furthermore, what justification has this Senate or House, either one, to go before the people and ask additional revenue when we are increasing appropriations in this way."

Senate Bill No. 98. A Bill for an Act to Amend and Re-enact Subsection (3) of Section 1, Chapter 196, Session Laws of North Dakota for the Year 1927, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Grand Fks.
Braaten	Handley	Owings
Brostuen	Johnson	Peterson
Cain	Jones	Strehlow
Coffey	Lind	Stucke
Drew	Lowe	Topp
Dubay	Lynn	Trovatten
Eastgate	Marshall	Vinje
Erickson	McDonald	Watt
Ettestad	McGillic	Whelan
Fowler	Miklethun	Wog
Fredrickson	Mutchler	Young
Greene, Stutsman	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fine	Kolpin	Thorson
Greene, Cavalier	Kroeber	Trout
Kamrath	Lemke	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Matthaei	Thatcher

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Greene of Stutsman moved that Senate Bill No. 158 be amended as follows:

Page 1, lines 8 and 9, sub-section (b), strike out the language "outside of an organized high school district."

Which motion prevailed.

Senator Greene of Stutsman moved that the rules be suspended and that Senate Bill No. 158, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 158. A Bill for an Act to Require Free

Correspondence Courses to Be Provided for all North Dakota Children of High School Age.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Handley	Nelson, Barnes
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Drew	Kolpin	Stucke
Dubay	Kroeber	Thorson
Eastgate	Lemke	Topp
Erickson	Lind	Trout
Ettestad	Lowe	Trovatten
Fine	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Braaten	Matthaei	Thatcher
Crandall	Nelson, Grand Fks.	

So the bill passed and the title was agreed to.

Senator Erickson moved that Senate Bill No. 162 be amended as follows:

At the end of line 42, page 3, strike out the period and insert a colon and add the following: "provided such person has been actively engaged in teaching in the public schools of North Dakota during the five years next preceding the taking effect of this Act."

Which motion prevailed.

Senator Erickson moved that the rules be suspended and that Senate Bill No. 162 as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 162. A Bill for an Act to Provide an Additional Method for Issuance of Professional Teachers Certificates.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 19; nays, 25; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Marshall
Braaten	Johnson	McDonald
Brostuen	Kamrath	McGillic
Cain	Kolpin	Miklethun
Erickson	Lemke	Thorson
Fowler	Lynn	Topp
Fredrickson		

Those voting in the negative were:

Messrs.	Messrs.	
Coffey	Jones	Peterson
Drew	Kroeber	Strehlow
Dubay	Lind	Stucke
Eastgate	Lowe	Trovatten
Ettestad	Mutchler	Vinje
Fine	Nelson, Barnes	Watt
Greene, Cavalier	Nelson, Grand Fks.	Whelan
Greene, Stutsman	Owings	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Thatcher	Wog
Matthaei	Trout	

So the bill was lost.

Senate Bill No. 174. A Bill for an Act Providing for Uniform Title to Papers and Proceedings in Probate Court Practice, and for Form of Citation.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Cain	Jones	Nelson, Grand Fks.
Coffey	Kamrath	Owings
Drew	Kolpin	Peterson
Dubay	Kroeber	Strehlow
Eastgate	Lemke	Stucke
Erickson	Lind	Thorson

Messrs.	Messrs.	Messrs.
Ettestad	Lowe	Topp
Fine	Lynn	Trovatten
Fowler	Marshall	Vinje
Fredrickson	McDonald	Watt
Greene, Stutsman	McGillic	Whelan
Gronvold	Miklethun	Young

Those voting in the negative were:

Messrs.	Messrs.
Braaten	Greene, Cavalier

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Thatcher	Wog
Matthaei	Trout	

So the bill passed and the title was agreed to.

Senate Bill No. 181. A Bill for an Act to Regulate the Employment of Teachers in the Public Schools of the Classified First, Second, and the Third Class High Schools; of the First, Second, and Third Class Graded and Consolidated Schools; and in State Institutions of Higher Learning, and Fixing the Conditions Under Which They May Hold Their Positions, or May Be Discharged.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 24; nays, 21; absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Peterson
Braaten	Johnson	Strehlow
Brostuen	Jones	Stucke
Coffey	Lemke	Thorson
Fine	Lind	Trout
Fowler	Marshall	Vinje
Fredrickson	McDonald	Whelan
Greene, Stutsman	Owings	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Mutchler
Drew	Kamrath	Nelson, Barnes
Dubay	Kolpin	Nelson, Grand Fks.
Eastgate	Kroeber	Topp
Erickson	Lowe	Trovatten
Ettestad	Lynn	Watt
Greene, Cavalier	McGillic	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Miklethun	Wog
Matthaei	Thatcher	

So the bill was lost.

Senator Bonzer moved that Senate Bills Nos. 289, 304, 313, 175 and 188 be placed at the head of the calendar.

Which motion prevailed.

Senate Bill No. 14. 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 second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 35; nays, 10; absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Cain	Handley	Nelson, Barnes
Coffey	Johnson	Nelson, Grand Fks.
Drew	Jones	Peterson
Dubay	Lemke	Strehlow
Eastgate	Lind	Stucke
Erickson	Lowe	Topp
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kamrath	Owings
Braaten	Kolpin	Thorson
Brostuen	Kroeber	Trout
Greene, Cavalier		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Thatcher	Wog
Matthaei		

So the bill passed and the title was agreed to.

Senator Watt moved that the vote by which Senate Bill No. 14 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 26, 1935.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 106. A Bill for An Act Providing and Permitting the Purchase of Gasoline to be Used Solely for Agricultural Purposes Without Payment of Gasoline Tax on Purchase Thereof; Licensing Purchasers and Sellers Thereof; Providing Penalty; Repeal.

Also,

House Bill No. 323. A Bill for an Act to Amend and Re-enact Subdivision 1 of Section 20, Subdivision (3) of Section 32, and Section 40 of Chapter 148 of the Session Laws of 1931 Relating to Game and Fish, the Propagation, Conservation, Protection and Preservation of Wild Birds, Wild Animals, and Fish; Providing for Open Season for Killing or Taking Said Game Birds, Game Animals, Fur Bearing Animals, Fish and Deer; Authorizing the Governor Upon Recommendation of the Game and Fish Commissioner to Open Central or Extended Seasons for Taking or Killing Wild Birds and Wild Animals; Providing for Search and Seizure and Providing for Resident and Non-resident Licenses; Defining Duties of Officers and Game Refuges, and Providing for Penalties and Violation Thereof and Amplifying the Provisions of the Section Hereby Amended; Prohibiting the Use of Dogs, Horses, Mules or Other Animals in the Hunting of Deer or Antelope; Making Unlawful the Possession of Certain Implements, Guns, Snares and Artificial Lights in Certain Territories at Certain Times and During Certain Hours.

Also,

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 6 of the Initiated Measure Entitled, "An Act to Impose a Tax Upon the Sale of Motor Vehicle Fuel; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels and for the Disposition of the Revenue Derived Therefrom; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; 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.

Also,

House Bill No. 292. A Bill for an Act Authorizing and Empowering Cities and Villages to Issue Bonds for the Purpose of Purchasing Outstanding Special Improvement Warrants, and Declaring an Emergency.

Also,

House Bill No. 338. A Bill for an Act Creating a State Board of Public Welfare, Defining its Powers and Duties, Making an Appropriation Therefor, Repealing All Acts and Parts in Conflict with the Provisions of This Act, and Declaring an Emergency.

Also,

House Bill No. 314. A Bill for an Act Relating to the Granting of Relief in Certain Cases From Inequitable Foreclosure of Mortgages on Real Estate and Execution Sales of Real Estate; for Postponing Certain Sales and for Extending the Periods of Redemption From Certain Others; and Relating to the Jurisdiction and Procedure for Such Relief and for the Right to Possession During the Extended Period, and for Extending the Expiration of Certain Periods of Redemption.

Also,

House Bill No. 353. A Bill for an Act to Amend and Re-enact Section 3080a4 of the Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Labeling of Gasoline and Kerosene.

Also,

House Bill No. 359. A Bill for an Act to Authorize, Direct and Empower the State Board of Administration to Provide, Furnish and Equip a Room in the State Capitol Office Building for the Exclusive Use of Representatives of Accredited Press Associations and Daily Newspapers.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1935.

Mr. President: I have the honor to return herewith the following:

SENATE CONCURRENT RESOLUTION NO. "E"

Also,

SENATE CONCURRENT RESOLUTION NO. "P"

Also,

Senate Bill No. 91. A Bill for an Act Requiring Issuance of Receipt for Road Tax Paid Interstate Carriers, and Requiring Posting of Receipts.

Also,

Senate Bill No. 110. A Bill for an Act Declaring the Draining of a Meandered Lake Within the State of North Dakota to Be a Misdemeanor and Providing Penalties Therefor.

Also,

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 138 of the 1933 Session Laws of the State of North Dakota Relating to Hail Tax Refund.

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 26, 1935.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 362. A Bill for an Act to Amend Section 25, Chapter 97 of the Session Laws of North Dakota for 1933, Relating to Relief for the Poor, Prescribing the Establishment of a County Welfare Board by the Board of County Commissioners.

Also,

House Bill No. 365. A Bill for an Act Providing That Teachers Who Served in the United States Armed Forces During the World War Shall Be Entitled to Have the Time of Said Service Counted "Teaching Service" Under the Teachers' Insurance and Retirement Lay Upon Payment of the Assessments for the Time of Said Service; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

SECOND READING OF SENATE BILLS

House Bill No. 289. A Bill for an Act to Amend and Re-enact Subdivision 4 of Section 4 and Sections 13 and 14 of Chapter 97 of the Session Laws of 1933.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Johnson	Miklethun
Braaten	Jones	Mutchler
Brostuen	Kamrath	Nelson, Barnes
Coffey	Kolpin	Owings
Eastgate	Kroeber	Stucke
Erickson	Lemke	Thorson
Ettestad	Lynn	Topp
Fine	Marshall	Vinje
Fowler	McDonald	Whelan
Handley	McGillic	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Strehlow
Drew	Lind	Trout
Dubay	Lowe	Trovatten
Fredrickson	Nelson, Grand Fks.	Watt
Greene, Cavalier	Peterson	Young
Greene, Stutsman		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Thatcher	Wog
Matthaei		

So the bill passed and the title was agreed to, and the emergency clause declared lost.

Senator Johnson moved that Senate Bill No. 304 be amended as follows:

Page 2, line 22, strike out the semi-colon and the remainder of the paragraph.

Senator Bonzer moved as a substitute motion that Senate Bill No. 304 be passed as read.

Which motion prevailed.

House Bill No. 304. A Bill for an Act Authorizing and Directing Compromise and Satisfaction of Certain Judgments for Fines, Heretofore or Hereafter Entered:

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings

Messrs.	Messrs.	Messrs.
Cain	Kamrath	Peterson
Drew	Kolpin	Strehlow
Dubay	Kroeber	Stucke
Eastgate	Lemke	Topp
Erickson	Lind	Trout
Ettestad	Lowe	Trovatten
Fine	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Those voting in the negative were:

Messrs.
Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Coffey	Matthaei	Thatcher
Crandall		

So the bill passed and the title was agreed to.

Senator Brostuen moved that the vote by which Senate Bill No. 304 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator McGillic moved that Senate Bill No. 313 be amended as follows: Add to Section 2, after line 15, page 4, the following paragraph:

"Each year after the State Board of Equalization has met and passed upon the equalization of individual personal property assessments and certified its findings back to the County Auditors and after they have made the necessary corrections on their assessment records and before the fifty (50) per cent reduction is made as now provided by law, each County Auditor shall deduct from each individual personal property assessment the valuation of Three Hundred Dollars (\$300.00.) Provided, where the individual assessed valuation is less than Three Hundred Dollars (\$300.00), they shall cancel the assessment from their records."

Which motion was lost.

Senator Trout moved that Senate Bill No. 313 be amended as follows:

On page 19, Section 25, line 14, strike out the words "one million dollars" from the engrossed bill and insert in lieu thereof "two million dollars."

Which motion was lost.

Senate Bill No. 313. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; to Make an Appropriation for the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Cain	Kolpin	Strehlow
Coffey	Kroeber	Stucke
Drew	Lemke	Topp
Dubay	Lynn	Trovatten
Eastgate	Marshall	Vinje
Erickson	McDonald	Watt
Ettestad	McGillic	Whelan
Fowler	Miklethun	Wog
Fredrickson	Mutchler	Young
Greene, Cavalier	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fine	Lind	Thorson
Greene, Stutsman	Lowe	Troat
Johnson	Matthaei	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Gronvold	Thatcher

So the bill passed and the title was agreed to. The emergency clause was declared carried.

Senator Brostuen moved that the vote by which Senate Bill No. 313 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fine: 'For the reason that as it now stands there

is nothing definite as to the assistance to the schools from the equalization fund from this tax, therefore I vote 'no'."

Senator Johnson: "I believe that a sales tax violates every sound principle of taxes except one and that is that it brings in revenue. It will be evaded in the Eastern part of the State, placing a burden on the Western and Central part, and if once we place it on our statute books we will not be able to remove it, therefore, I vote 'no'."

Senator McDonald: "I want to explain my vote and have it recorded. As a member of organized labor I am fundamentally opposed to a 'sales tax,' but as there is an emergency confronting us at the present time and we must have money to keep our schools open, I vote 'aye'."

Senator McGillic: "As long as my amendments were not accepted for the personal property tax, I will vote 'aye'."

Senator Stucke: "I am going to explain my vote. I believe like some of the rest have stated, that a 'sales tax' is one of the most iniquitous taxes that has ever been proposed. I think it is the last struggle of a decaying social system to perpetuate itself, but, Mr. President, as I explained two years ago, we are in an emergency. This is the hardest vote that I am casting in this session of the legislature. I do not know how I am going to square my conscience, being fundamentally opposed to such a tax, but I am voting 'aye'."

Senator Thorson: "I am opposed to a sales tax and therefore I vote 'no'."

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 26, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 43. A Bill for an Act to Prevent Fraud and Deception in the Sale of Live Stock Remedies; Providing for the Registration and Labeling of Live Stock Remedies; Authorizing Rules and Regulations for the Administration of This Act; Prescribing the Method of Revocation of Such Registration and Prescribing a Penalty for the Violation Thereof.

Also,

Senate Bill No. 250. A Bill for an Act to Exempt Grain Warehousemen from Suit for Conversion of Grain Bought, Unless the Instrument Creating Said Interests of Liens Is on File or of Record, or Written Notice of the Existence Thereof Is Given to the Warehousemen.

Also,

Senate Bill No. 227. A Bill for an Act to Amend and Re-enact Chapter 7429 of the 1913 Compiled Laws of the

State of North Dakota, Relating to Service of Summons by Publication.

Also,

Senate Bill No. 229. A Bill for an Act Relating to Foreclosure of Mortgage or Other Lien Upon Real Estate Providing for Service of Summons in Actions to Foreclose Mortgage or Other Lien Upon Real Estate; Providing for Personal Service or Service by Publication; Specifying Manner in Which Unknown Defendants and Representatives of Deceased Defendants May Be Joined; Providing That Said Method Shall Be in Addition to Present Remedies.

Also,

Senate Bill No. 230. A Bill for an Act to Amend and Re-enact Section 7745 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Notice to Be Given Upon Sale of Real Property Under Execution; Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 237. A Bill for an Act to Regulate the Practice of Professional Engineering and Land Survey.

Also,

Senate Bill No. 295. A Bill for an Act to Permit Boards of County Commissioners to Set Aside and Transfer for Park and Recreational Purposes Lands Acquired by the County Through Tax Deeds, and Declaring an Emergency.

Also,

Senate Bill No. 239. A Bill for an Act Authorizing Any Board or Officer Having the Control or Management of Any Real State Belonging to or Controlled by the State of North Dakota or Any of Its Political Subdivisions to Enter Into Agreements with the United States of America for the Improvement of Said Real Estate by the Establishment and Maintenance of Shelterbelts of Trees and Other Plants and Necessary Protective Structures and Works Thereon, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 236. A Bill for an Act to Regulate Ownership and Operation of Pharmacies, Requiring the Registration and Inspection and Prescribing Penalties.

Also,

Senate Bill No. 281. A Bill for an Act Relating to the Incorporation of Mutual Aid Non-Profit Corporations, and Defining Their Purposes and Powers and Declaring an Emergency.

Also,

Senate Bill No. 280. A Bill for an Act to Provide for the

Establishment of County Debt Adjustment Boards, Prescribing the Duties and Powers of Such Boards and the Duties of the Judges and the Clerks of the District Courts as Regards Such Boards.

Also,

Senate Bill No. 276. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 177, Laws of North Dakota for 1927 as Amended by Chapter 182, Laws of North Dakota for 1931, Relating to the Coloring of Gasoline by the Use of a Harmless Dye.

Also,

Senate Bill No. 283. A Bill for an Act to Amend and Re-enact Section 9606a1 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Declaring it Unlawful to Place Certain Children in Almshouses or Other Institutions Without the Consent of the Board of Administration, With Certain Exceptions, Prohibiting Placing of Certain Children in the State Training School, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 279. A Bill for an Act Amending and Re-enacting Section 4440a1 and 4446 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to Custody and Assignment of Children Prohibited in Certain Cases, Requiring Consent in Writing for Adoption of Child, Prohibiting Transfer of Guardianship Without Notice to the Board of Administration, Petition for Adoption, Notice to Board of Administration, Report of Board, Petition When Granted, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931, Relating to Capital Stock of Banks.

Also,

Senate Bill No. 297. A Bill for an Act Providing for the Cancellation of Record of Certain Chattel Mortgages and Certain Written Agreements Relating to Personal Property, by the Register of Deeds, for Cancelling Certain Bills of Sale, Requiring Assignments of Chattel Mortgages to Be Filed Before the Filing of Affidavit of Renewal or Satisfaction, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 13. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Station at the Agricultural College, Fargo, North Dakota, Repairs, Equipment and Miscellaneous Items of the Experiment Station, and its Branch Stations.

Also,

Senate Bill No. 15. 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.

Also,

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Also,

Senate Bill No. 19. 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. 98. A Bill for an Act to Amend and Re-enact Subsection (3) of Section 1, Chapter 196, Session Laws of North Dakota for the Year 1927, and Declaring an Emergency.

Also,

Senate Bill No. 174. A Bill for an Act Providing for Uniform Title to Papers and Proceedings in Probate Court Practice, and for Form of Citation.

Also,

Senate Bill No. 14. 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.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 175. A Bill for an Act Providing for a System of Municipal Control of the Purchase, Sale, Importation, Transportation, Handling, Possessing, Dispensing and Use of Alcohol and Alcoholic Beverages by Any Incorporated City of the State Having a Population of Two Hundred or More; the Levy and Collection of a Tax Thereon; the Duties of the State Treasurer; Providing for Injunctions Against and Abatement of Liquor Nuisances; the Continuing in Force of the Present Statutory Regulations Prohibiting the Manufacture, Sale and Possession of Intoxicating Li-

quors; Providing Penalties for Violations of the Provisions of This Act; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Jones	Owings
Brostuen	Kamrath	Peterson
Cain	Kroeber	Stucke
Coffey	Lemke	Topp
Dubay	Lowe	Trott
Eastgate	Lynn	Trovatten
Ettestad	Matthaei	Whelan
Fowler	McDonald	Wog
Gronvold	McGillic	Young
Johnson	Nelson, Grand Fks	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Greene, Stutsman	Mutchler
Drew	Handley	Nelson, Barnes
Erickson	Kolpin	Strehlow
Fine	Lind	Thorson
Fredrickson	Marshall	Vinje
Greene, Cavalier	Miklethun	Watt

Absent and not voting:

Messrs.	Messrs.
Crandall	Thatcher

So the bill passed and the title was agreed to, and the emergency clause declared lost.

Senator Brostuen moved that the vote by which Senate Bill No. 175 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Greene of Cavalier: "I am opposed to legalized crime and therefore I shall vote 'no'."

Senator McDonald: "I do not care to vote for legalized liquor, but you can buy liquor in practically every beer place in the State of North Dakota now and the State receiving no revenue from it, and for that reason I vote 'aye'."

Senator Mutchler: "Inasmuch as the people of North Dakota in the recent election by a majority of 28,222 votes, expressed their disapproval of any hard liquor legislation, and inasmuch as we, as members of this legislature, in this

session, are supposed to be responsible to the wishes of the majority of the people and vote for the good of the whole State, and inasmuch as petitions have come in representing hundreds and thousands of people petitioning us to not vote for any hard liquor legislation, and further because from the time I was a little boy I have seen the curses of legalized hard liquor in the State of Iowa, therefore I vote 'no'."

Senator Greene of Stutsman moved that the vote by which the emergency clause was lost, be reconsidered.

Which motion prevailed.

ROLL CALL

The question being on the passage of the emergency clause on Senate Bill No. 175, 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.
Bonzer	Jones	Owings
Brostuen	Kamrath	Peterson
Cain	Kolpin	Strehlow
Coffey	Kroeber	Stucke
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fowler	Matthaei	Whelan
Gronvold	McDonald	Wog
Handley	McGillic	Young
Johnson	Nelson, Grand Fks.	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Greene, Cavalier	Mutchler
Drew	Greene, Stutsman	Nelson, Barnes
Fine	Marshall	Vinje
Fredrickson	Miklethun	Watt

Absent and not voting:

Messrs.	Messrs.
Crandall	Thatcher

So the emergency clause on Senate Bill No. 175 was declared carried.

Senator Johnson: "As long as each individual community will have the right to vote anyway, I vote 'aye'."

Senator Bonzer moved that Senate Bill No. 188 be indefinitely postponed.

Which motion prevailed.

Senator Bonzer moved that Senate Bills Nos. 189, 217, 305, 260, and 264 be placed at the head of the calendar.

Which motion prevailed.

Senate Bill No. 189. A Bill for an Act Providing for the Better Collection of Taxes and Better Enforcement of Laws Relating to the Imposition and Collection of Taxes Now or Hereafter Imposed Upon Cigarettes, Snuff, Cigarette Papers, Beer and or Any Other Article or Product Now or Hereafter Taxed by a Stamp or Other Special Tax by the State of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Handley	Mutchler
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Nelson, Grand Fks.
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Stucke
Eastgate	Lind	Topp
Erickson	Lowe	Trovatten
Ettestad	Lynn	Vinje
Fine	Marshall	Watt
Fowler	Matthaei	Whelan
Fredrickson	McDonald	Wog
Greene, Cavalier	McGillic	Young
Greene, Stutsman	Miklethun	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Thatcher	Trout
Gronvold	Thorson	

So the bill passed and the title was agreed to.

Senator Bonzer moved that the Senate recess for fifteen minutes.

Which motion prevailed.

The Senate re-convened pursuant to a fifteen minute recess, President pro tem. Marshall presiding.

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. 158. A Bill for an Act to Require Free

Correspondence Courses to Be Provided for all North Dakota Children of High School Age.

Also,

Senate Bill No. 289. A Bill for an Act to Amend and Re-enact Section 11100 of the Compiled Laws of the State of North Dakota Relating to Quorum and Majority Vote of Board Required to Grant Pardon, Providing for the Time of Meetings.

And find the same correctly re-engrossed.

THOMAS WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

Also,

Senate Bill No. 231. A Bill for an Act Amending and Re-enacting Sections 1495, and 1526 of the Compiled Laws of the State of North Dakota for the Year 1913, and Amending and Re-enacting Sections 1518, 1521 and 1523, of the Compiled Laws of the State of North Dakota for the Year 1919 as Amended by Chapter 161 of the Session Laws of the State of North Dakota for the Year 1919, Relating to and Modifying the Provisions of the Teachers' Insurance and Retirement Fund, and Repealing Section 1522 of the Compiled Laws of the State of North Dakota for the Year 1913.

Also,

Senate Bill No. 280. A Bill for an Act to Provide for the Establishment of County Debt Adjustment Boards, Prescribing the Duties and Powers of Such Boards and the Duties of the Judges and the Clerks of the District Courts as Regards Such Boards.

Also,

Senate Bill No. 322. A Bill for an Act to Impose a Tax of One Cent Upon the Sale of All Gasoline; Providing for the Collection Thereof and for the Disposition of the Revenue Therefrom; Fixing Penalties for Violation, and Declaring an Emergency.

Also,

Senate Bill No. 329. A Bill for an Act to Provide Revenue to the State by Imposing a Tax Upon the Sale of Electricity and Electric Power Consumed Within This State; Providing for the Manner of Collecting the Tax, and Penalty for Violation of This Act.

And find the same correctly engrossed.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

The President pro tem. called Senator Erickson to the chair to preside.

Senator Fowler moved that Senate Bill No. 264 be amended as follows:

“Strike out the period at the end of the title and add the following language: and declaring an emergency.”

Which motion prevailed.

Senator Fowler moved that the rules be suspended and that Senate Bill No. 264, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 264. A Bill for an Act Relating to Licensing of Motor Vehicle Operators and Chauffeurs and to the Liability of Certain Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fee to be Paid; Providing for Examination of Applicant; Providing for Suspension or Revocation of License; Making Disposition of Fees Collected; Providing for Penalty for Violating Act; Repealing All Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Miklethun
Braaten	Gronvold	Mutchler
Brostuen	Handley	Nelson, Barnes
Cain	Johnson	Nelson, Grand Fks.
Coffey	Jones	Owings
Crandall	Kamrath	Peterson
Drew	Kolpin	Strehlow
Dubay	Kroeber	Stucke
Eastgate	Lemke	Trout
Erickson	Lind	Trovatten
Ettestad	Lowe	Vinje
Fine	Lynn	Watt
Fowler	Marshall	Whelan
Fredrickson	McDonald	Wog
Greene, Cavalier	McGillic	Young

Those voting in the negative were:

Messrs.
Topp

Absent and not voting:

Messrs.	Messrs.	Messrs.
Matthaei	Thatcher	Thorson

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Bonzer moved that the vote by which Senate Bill No. 264 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Bonzer moved that Senate Bill No. 22 be amended as follows:

In line 43, page 3, change "\$24,885.00" to "\$49,760.00."

Senator Watt moved as a substitute motion that the sense of the Senate be taken on a salary adjustment of 10% from the base of two years ago on all salaries in all educational institutions.

Senator Fowler moved that action on Senate Bill No. 22 be temporarily deferred.

Which motion prevailed.

Senator Watt moved that the Senate go on record as favoring an adjustment of 10% from the base of two years ago on the salaries in all educational institutions.

Senator Watt demanded a Roll Call.

A Roll Call was granted.

ROLL CALL

The question being on the motion of Senator Watt to favor an increase of 10% in salaries at educational institutions, 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.
Bonzer	Jones	Nelson, Barnes
Braaten	Kroeber	Nelson, Grand Fks.
Cain	Lind	Peterson
Coffey	Lowe	Strehlow
Crandall	Lynn	Stucke
Eastgate	Marshall	Trovatten
Erickson	Matthaei	Vinje
Ettestad	McDonald	Watt
Fowler	McGillie	Whelan
Greene, Stutsman	Miklethun	Young
Johnson	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Gronvold	Owings

Messrs.	Messrs.	Messrs.
Drew	Handley	Thorson
Dubay	Kamrath	Topp
Fine	Kolpin	Trout
Fredrickson	Lemke	Wog
Greene, Cavalier		

Absent and not voting:

Messrs.
Thatcher

So the motion prevailed.

Senator Thorson: "It seems that we have passed so many sales tax now that we feel rich and therefore have to start raising salaries and pay out the taxpayers money. I vote no."

Senator Brostuen moved that the Senate go on record as favoring a ten percent increase on all teachers salaries in common school districts, same to be paid out of state funds.

Which motion prevailed.

Senator Johnson moved that the vote by which Senate Bill No. 14 was passed be reconsidered.

Which motion prevailed.

Senator Fowler moved that the House be requested to return Senate Bill No. 14.

Which motion prevailed.

Senator Bonzer moved that Senate Bill No. 22 be amended as follows:

On page 1 of the engrossed bill in the 3rd line, change the figures "\$598,203.00" to read "\$623,088.00."

On page 2 opposite the item SALARY ADJUSTMENTS, change the figures "\$24,884.00" to read "\$49,770.00."

On page 2, opposite the item TOTAL MAINTENANCE, the figures "\$774,945.00" should be changed to read "\$799,830.00."

On page 2, opposite the item NET MAINTENANCE, change the figures "562,945.00" to read "\$587,830.00."

On page 2, following the words "SALARY ADJUSTMENTS," insert the following: "Provided that this salary increase is a uniform increase of ten per cent over the basis of two years ago."

On page 3, opposite the word TOTAL, change the figures "\$598,203.00" to read "\$623,088.00."

Which motion prevailed.

Senator Bonzer moved that the rules be suspended and that Senate Bill No. 22, as amended, be considered properly re-

engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 22. A Bill for an Act Making an Appropriation to pay for the General Maintenance, Improvements and Repairs, Lignite Testing, Clay Testing, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 34; nays, 13; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	Nelson, Barnes
Braaten	Kroeber	Nelson, Grand Fks.
Cain	Lind	Peterson
Coffey	Lowe	Strehlow
Crandall	Lynn	Stucke
Eastgate	Marshall	Topp
Erickson	Matthaei	Trovatten
Ettestad	McDonald	Vinje
Fowler	McGillic	Watt
Fredrickson	Miklethun	Whelan
Greene, Stutsman	Mutchler	Young
Johnson		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Handley	Owings
Drew	Kamrath	Thorson
Dubay	Kolpin	Trout
Fine	Lemke	Wog
Greene, Cavalier		

Absent and not voting:

Messrs.	Messrs.
Gronvold	Thatcher

So the bill passed and the title was agreed to.

Senator Watt moved that the vote by which Senate Bill No. 22 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 26, 1935.

Mr. Speaker: I have the honor to request you to return Senate Bill No. 14 to the Senate.

Very respectfully,

F. E. TUNELL,
Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 217. A Bill for an Act to Amend and Re-enact Chapter 220, Session Laws of the State of North Dakota for the Year 1933, Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Summary Reduction of the Same, Relating to Hearings, and Investigations; and Relating to Valuation and/or Revaluation of Property of Public Utility Companies and Corporations by the Board of Railroad Commissioners; Relating to Payment of Expenses of Such Hearings, and Investigations, and Valuations and/or Revaluations and the Methods of Assessing and Collecting the Same; and Repealing All Acts or Parts of Acts in Conflict Herewith; and Making an Appropriation for the Valuation by Board of Public Commissioners of the Property of the Public Utilities, Subject to the Provisions of Chapter 192 of the Session Laws of 1919, Creating a Revolving Fund, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Kolpin	Owings
Brostuen	Kroeber	Peterson
Coffey	Lemke	Strehlow
Crandall	Lind	Stucke
Drew	Lowe	Thorson
Dubay	Lynn	Topp
Erickson	Marshall	Trout
Ettestad	McDonald	Trovatten
Fine	McGillic	Vinje
Fowler	Miklethun	Watt
Greene, Cavalier	Mutchler	Whelan
Greene, Stutsman	Nelson, Barnes	Wog
Johnson	Nelson, Grand Fks.	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Eastgate	Handley	Jones

Absent and not voting:

Messrs.	Messrs.	Messrs.
Braaten	Gronvold	Matthaei
Cain	Kamrath	Thatcher
Fredrickson		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Bonzer moved that the vote by which Senate Bill No. 217 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Bonzer moved that Senate Bill No. 1 be placed at the head of the calendar.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 26, 1935.

Mr. President: I have the honor to inform you that the House herewith returns Senate Bill No. 14, which the Senate requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Fowler moved that the vote by which Senate Bill No. 14 was passed be reconsidered.

Which motion prevailed.

Senator Fowler moved that Senate Bill No. 14 be amended as follows:

On page 1, Section 1, third line, change the figures "\$478,017.27" to read "\$495,177.27."

On page 2, opposite the item SALARY ADJUSTMENTS, change the figures "\$17,160.00" to read "\$34,320.00."

On page 2, opposite TOTAL MAINTENANCE, change the figures "\$717,544.60" to read "\$734,544.60."

Opposite NET MAINTENANCE, change the figures "\$413,084.60" to read "\$430,244.60."

On page 3, opposite the word TOTAL, change the figures "\$478,017.27" to read "\$495,177.27."

On page 2, following the words "SALARY ADJUSTMENTS," insert the following: "Provided that this salary increase is a uniform increase of ten per cent over the basis of two years ago.

Which motion prevailed.

Senator Fowler moved that the rules be suspended and that Senate Bill No. 14, as amended, be considered property re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 14. 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 second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Johnson	Nelson, Barnes
Braaten	Kroeber	Nelson, Grand Fks.
Cain	Lind	Peterson
Coffey	Lowe	Strehlow
Crandall	Lynn	Stucke
Eastgate	Marshall	Topp
Erickson	Matthaei	Trovatten
Ettestad	McDonald	Vinje
Fowler	McGillic	Watt
Fredrickson	Miklethun	Whelan
Greene, Stutsman	Mutchler	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Handley	Owings
Drew	Kamrath	Thorson
Dubay	Kolpin	Trout
Greene, Cavalier	Lemke	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fine	Jones	Thatcher
Gronvold		

So the bill passed and the title was agreed to.

Senator Handley: "On account of the amendments being added to this bill, I am voting 'no'."

Senator Watt moved that the vote by which Senate Bill

No. 14 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Whelan asked unanimous consent to return to the Fifth Order of Business.

Which request was granted.

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. 1. 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 corectly engrossed.

THOMAS WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

President pro tem. Marshall resumed the chair.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 26, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 158. A Bill for an Act to Require Free Correspondence Courses to Be Provided for all North Dakota Children of High School Age.

Also,

Senate Bill No. 289. A Bill for an Act to Amend and Re-enact Section 11100 of the Compiled Laws of the State of North Dakota Relating to Quorum and Majority Vote of Board Required to Grant Pardon, Providing for the Time of Meetings.

Also,

Senate Bill No. 304. A Bill for an Act to Amend and

Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing Senate Bill No. 263 Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Acts or Parts of Acts in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof;" and Declaring an Emergency.

Also,

Senate Bill No. 313. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; to Make an Appropriation for the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 175. A Bill for an Act Providing for a System of Municipal Control of the Purchase, Sale, Importation, Transportation, Handling, Possessing, Dispensing and Use of Alcohol and Alcoholic Beverages by Any Incorporated City of the State Having a Population of Two Hundred or More; the Levy and Collection of a Tax Thereon; the Duties of the State Treasurer; Providing for Injunctions Against and Abatement of Liquor Nuisances; the Continuing in Force of the Present Statutory Regulations Prohibiting the Manufacture, Sale and Possession of Intoxicating Liquors; Providing Penalties for Violations of the Provisions of This Act; and Declaring an Emergency.

Also,

Senate Bill No. 189. A Bill for an Act Providing for the Better Collection of Taxes and Better Enforcement of Laws Relating to the Imposition and Collection of Taxes Now or Hereafter Imposed Upon Cigarettes, Snuff, Cigarette Papers,

Beer and or Any Other Article or Product Now or Hereafter Taxed by a Stamp or Other Special Tax by the State of North Dakota.

Which the Senate has passed and your favorable consideration is respectfully requested.

Also,

SENATE CONCURRENT RESOLUTION "W"

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

SECOND READING OF SENATE BILLS

Senate Bill No. 1. 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 second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 39; nays, 8; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Mutchler
Brostuen	Handley	Nelson, Barnes
Cain	Johnson	Nelson, Grand Fks.
Coffey	Jones	Owings
Crandall	Kroeber	Peterson
Dubay	Lind	Strehlow
Eastgate	Lowe	Stucke
Erickson	Lynn	Topp
Ettestad	Marshall	Trovatten
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Kolpin	Trout
Drew	Lemke	Vinje
Kamrath	Thorson	

Absent and not voting:

Messrs.	Messrs.
Fine	Thatcher

So the bill passed and the title was agreed to.

Senator Watt moved that the vote by which Senate Bill No. 1 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 305. A Bill for an Act Providing for the Payment of a Bounty on Crows and Crow Eggs.

Was read the second time.

ROLL CALL

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.
Bonzer	Jones	Strehlow
Braaten	Lynn	Stucke
Fine	Marshall	Trout
Handley	McDonald	Wog
Johnson	Nelson, Barnes	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Greene, Stutsman	Mutchler
Cain	Gronvold	Nelson, Grand Fks.
Coffey	Kamrath	Owings
Drew	Kolpin	Peterson
Dubay	Kroeber	Thorson
Eastgate	Lemke	Topp
Erickson	Lind	Trovatten
Ettestad	Lowe	Vinje
Fowler	McGillic	Watt
Fredrickson	Miklethun	Whelan
Greene, Cavalier		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Matthaei	Thatcher

So the bill was lost.

Senator Handley: "As the Game and Fish Department are wanting this, I am voting aye."

Senator Lowe: "If the bounties were to be paid by the Game and Fish Department fund I would vote 'aye' but as there does not seem to be any way of paying this, I vote 'no'."

Senator McDonald: "I am voting 'aye' because crows are the worst enemy in the state for our game birds."

Senate Bill No. 260. A Bill for an Act Creating a State Highway Patrol for the State of North Dakota; Authorizing the Attorney General to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Amending Chapter 102 of the Session Laws of North Dakota for the Year 1933 Relating to Bureau of Criminal Identification; Fixing Compensation and Providing for Disposition of Fines Collected; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Peterson
Cain	Kolpin	Strehlow
Coffey	Kroeber	Stucke
Crandall	Lemke	Trout
Drew	Lind	Trovatten
Dubay	Lowe	Vinje
Eastgate	Lynn	Watt
Fowler	Marshall	Whelan
Fredrickson	Matthaei	Wog
Greene, Cavalier	McGillic	Young
Greene, Stutsman	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Erickson	Kamrath	Owings
Ettestad	McDonald	Thorson
Fine	Miklethun	Topp
Handley		

Absent and not voting:

Messrs.
Thatcher

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Bonzer 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 Stucke moved that further action on Senate Bill No. 111 be indefinitely postponed.

Which motion prevailed.

Senate Bill No. 273. A Bill for an Act to Appropriate the Sum of One Thousand Dollars (\$1,000.00) From Any Moneys in the State Highway Fund for the Purpose of Making a Preliminary Survey and Soundings for the Construction of a Bridge Across the Little Missouri River at or Near the Intersection of the Little Missouri River With the Trail Passing South of Independence and Crossing Section Twenty-nine (S. 29), Township One Hundred Forty-eight (T. 148), Range Ninety-one (R. 91) Dunn County, North Dakota, Approximately Six Miles Northwest of the Fort Berthold Bridge, Also Known as the Four Bears Bridge, Under the Provisions of Chapter Seventy-three (73) of the Laws of North Dakota for the year Nineteen Hundred Nineteen (1919) (Sections 1952a1 and 1952a2 of the 1925 Supplement to the Compiled Laws of 1913) as Amended and Re-enacted by Chapter 161, Laws of 1927, as Amended and Re-enacted by Chapter 140 of the Laws of 1929, and Directing the State Highway Commissioner Forthwith to Designate Said Trail as a Feeder Road to State and Federal Highway No. 8, and to Forthwith Make Said Soundings and Survey, and Select a Bridge Site; and Directing Said Highway Commissioner Forthwith to Construct Such Bridge, and Do All Necessary Preliminary Acts Therein.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand F'ks.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young

Absent and not voting:

Messrs.

Thatcher

So the bill passed and the title was agreed to.

Senator Watt moved that the vote by which Senate Bill

No. 273 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Bonzer moved that Senate Bill No. 294 be placed at the head of the calendar.

Which motion prevailed.

Senator Whelan asked unanimous consent to return to the Fifth Order of Business.

Which request was granted.

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. 14. 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.

Also,

Senate Bill No. 22. A Bill for an Act Making an Appropriation to pay for the General Maintenance, Improvements and Repairs, Lignite Testing, Clay Testing, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

. And find the same correctly re-engrossed.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 294. A Bill for an Act to Amend and Re-enact Section 2346a11 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 253 of the 1933 Session Laws; Section 2346a20 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 4 of Chapter 253 of the 1933 Session Laws; Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Sub-section 4 of Section 4 of Chapter 283 of the 1931 Session Laws, Relating to the Taxation of Income of Individuals, Fiduciaries and Corporations; Repealing That Portion of Section 2346a46 of the Supplement to the Compiled Laws of 1913 as was Amended and Re-enacted by Paragraph (b) of Sub-section 4 of Section 6 of Chapter 283 of the 1931 Session Laws and Re-

pealing Sub-section 7 of Section 4 of Chapter 283 of the 1931 Session Laws, and Repealing Sub-section 7 of Section 2346a30 of the 1925 Supplement to the Compiled Laws, and All Other Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Handley	Mutchler
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Owings
Coffey	Kamrath	Peterson
Drew	Kolpin	Strehlow
Dubay	Kroeber	Stucke
Erickson	Lind	Thorson
Ettestad	Marshall	Topp
Fine	Matthaei	Trout
Fredrickson	McDonald	Vinje
Greene, Cavalier	McGillic	Watt
Greene, Stutsman	Miklethun	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Lowe	Trovatten
Eastgate	Lynn	Whelan
Gronvold	Nelson, Grand Fks.	Young
Lemke		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Fowler	Thatcher

So the bill passed and the title was agreed to.

Senator Greene of Stutsman moved that the vote by which Senate Bill No. 294 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Erickson moved that Senate Bill No. 290 be placed at the head of the calendar.

Which motion prevailed.

Senate Bill No. 164. A Bill for an Act to Amend and Re-enact Section 4 (a) of Chapter 166 of the Session Laws of North Dakota for the Year 1929, and to Amend and Re-enact Section 6 of Chapter 189 of the Session Laws of North Dakota for the Year 1931, Being 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; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; 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.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Mutchler
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Nelson, Grand Fks.
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Stucke
Eastgate	Lind	Thorson
Erickson	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Thatcher	Trovatten

So the bill passed and the title was agreed to.

Senator Handley moved that the vote by which Senate Bill No. 164 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Mutchler moved that the vote by which Senate Bill No. 181 was lost, be reconsidered.

Which motion prevailed.

Senator Fine moved that Senate Bill No. 181 be placed next to the head of the calendar.

Which motion prevailed.

Senator Cain moved that Senate Bill No. 290 be amended as follows:

After the word "him" in line 8, page 2, Section 2, strike out the period, insert a semi-colon and the following language: "provided, however, that the provisions of this Act shall not apply to rat or fox terrier dogs."

Which motion was lost.

Senator Young moved that Senate Bill No. 290 be amended as follows:

In line 2, page 4, Section 6 of the printed bill, after the word "damage," insert the following: "in an amount of Ten Dollars or over."

Which motion prevailed.

Senator Young moved that Senate Bill No. 290 be amended as follows:

In Section 6, page 4 of the engrossed bill after the word "district" insert the following language: "or some township board member or other person appointed by him."

Which motion prevailed.

Senator Young moved that the rules be suspended and that Senate Bill No. 290 as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 290. A Bill for an Act Imposing a Tax Upon Dogs; Providing for the Assessment, Levy and Collection Thereof; Providing for the Issuance of License Tags for All Dogs Upon Which Said Tax is Assessed; Providing for the Determination and Payment of Losses from Tax Collected Thereunder to the Owners of Livestock or Poultry Damaged by Dogs; Providing for the Killing of Dogs in Certain Cases; Providing for Liability Insurance on Dogs; Providing for Hearing and Appeal; Imposing Powers and Duties on Certain County Officers and Employees, and Providing Penalties for the Violation of This Act, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 28; nays, 19; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Johnson	Peterson
Coffey	Jones	Strehlow
Drew	Kolpin	Topp
Eastgate	Lemke	Trout
Erickson	Low	Trovatten

Messrs.	Messrs.	Messrs.
Fine	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	McDonald	Whelan
Greene, Stutsman	Mutchler	Young
Handley		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kamrath	Nelson, Barnes
Brostuen	Kroeber	Nelson, Grand Fks.
Cain	Lind	Owings
Dubay	Matthaei	Stucke
Ettestad	McGillic	Thorsen
Greene, Cavalier	Miklethun	Wog
Gronvold		

Absent and not voting:

Messrs.	Messrs.
Crandall	Thatcher

So the bill passed and the title was agreed to, and the emergency clause declared lost.

Senator Young moved that the vote by which Senate Bill No. 290 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 181. A Bill for an Act to Regulate the Employment of Teachers in the Public Schools of the Classified First, Second, and the Third Class High Schools; of the First, Second, and Third Class Graded and Consolidated Schools; and in State Institutions of Higher Learning, and Fixing the Conditions Under Which They May Hold Their Positions, or May Be Discharged.

Was read the second time.

ROLL CALL

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.
Bonzer	Jones	Mutchler
Braaten	Kolpin	Owings
Brostuen	Lemke	Peterson
Coffey	Lind	Strehlow
Fine	Marshall	Stucke
Fredrickson	Matthaei	Thorsen
Greene, Stutsman	McDonald	Vinje
Handley	Miklethun	Wog
Johnson		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Nelson, Grand Fks.
Drew	Kamrath	Topp
Dubay	Kroeber	Trout
Eastgate	Lowe	Trovatten
Erickson	Lynn	Watt
Ettestad	McGillic	Whelan
Fowler	Nelson, Barnes	Young
Greene, Cavalier		

Absent and not voting:

Messrs.	Messrs.
Crandall	Thatcher

So the bill passed and the title was agreed to.

Senator McDonald moved that the vote by which Senate Bill No. 181 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 339 of the Compiled Laws of North Dakota for 1913, Relating to Selection of School Lands for Leasing, Advertising Same, Auction When Held, Commencement of Lease, and Repealing All Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Mutchler
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Nelson, Grand Fks.
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Thorson
Eastgate	Liud	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Stucke	Thatcher

So the bill passed and the title was agreed to.

Senator Watt moved that the vote by which Senate Bill No. 107 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Brostuen moved that Senate Bill No. 136 be amended as follows:

Change the title of the engrossed bill to read as originally written.

Which motion prevailed.

Senator Brostuen moved that the rules be suspended and that Senate Bill No. 136, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 136. A Bill for an Act Amending Articles 2889b4, 2889b5 and 2889b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Being Part of Article 40b of Chapter 38 of the Political Code, Relating to Food and Drugs, and Known as the North Dakota Food and Drugs Act.

Was read the second 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.

ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Drew	Kolpin	Strehlow
Dubay	Kroeber	Thorson
Eastgate	Lemke	Topp
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	Miklethun	Wog
Greene, Cavalier	Mutchler	Young
Greene, Stutsman		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Lind	McGillic
Handley	Lowe	Trout

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Stucke	Thatcher

So the bill passed and the title was agreed to.

Senator Brostuen moved that the vote by which Senate Bill No. 136 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Greene of Stutsman moved that Senate Bill No. 262 be placed next to the head of the calendar.

Which motion prevailed.

Senate Bill No. 160. A Bill for an Act to Amend and Re-enact Chapter 272 of the Session Laws of 1931, Authorizing the Board of Administration, with the Approval and Consent of the Governor, to Transfer the License of the Radio Station Located at the State University of North Dakota at Grand Forks, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Jones	Nelson, Barnes
Brostuen	Kamrath	Nelson, Grand Fks.
Cain	Kroeber	Owings
Drew	Lind	Peterson
Dubay	Lowe	Strehlow
Eastgate	Lynn	Trout
Erickson	Marshall	Trovatten
Ettestad	Matthaei	Vinje
Fine	McDonald	Watt
Fowler	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young
Handley		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Greene, Cavalier	Lemke
Coffey	Johnson	Thorson
Fredrickson	Kolpin	Topp

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Stucke	Thatcher

So the bill passed and the title was agreed to.

Senator Whelan 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.

Senator Eastgate moved that Senate Bill No. 306 be placed next to the head of the calendar.

Which motion prevailed.

Senate Bill No. 262. A Bill for an Act Temporarily Extending the Time in Which Redemption May Be Made from Tax Sales and Extending the Time in Which Holders of Tax Sales Certificates May Present the Same for Obtaining Tax Deeds, and Extending the Time in Which Tax Deeds May Be Obtained, and Declaring an Emergency and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Mutchler
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Nelson, Grand Fks.
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fowler	Marshall	Vinje
Fredrickson	Matthaei	Watt
Greene, Cavalier	McDonald	Whelan
Greene, Stutsman	McGillic	Wog
Gronvold	Miklethun	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Stucke	Thatcher
Fine		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Matthaei moved that the vote by which Senate Bill No. 262 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Eastgate moved that Senate Bill No. 306 be amended as follows:

After the word "affected" at the end of the title, strike out the period and add the following language: "and declaring an emergency."

Also, on page 4, line 56, after the word "Dakota," add the following language: "or the United States or any agency thereof."

Which motion prevailed.

Senator Eastgate moved that the rules be suspended and that Senate Bill No. 306 as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 306. A Bill for an Act Authorizing the Governor to Enter Into Agreements with the President of the United States Under an Act of Congress Entitled "An Act for the Relief of Unemployed Through the Performance of Useful Public Work, and for Other Purposes," Approved March 31, 1933, and Other Acts Supplemental Thereto; Authorizing the Governor to Enter Into Agreements With Private Land Owners, Declaring the Rights and Duties of the Conservation Commission and of Such Land Owner Thereunder and Providing Procedure for Giving Notice to Mortgagees and Lien Holders Against Lands Affected, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Mutchler
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Nelson, Grand Fks.
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Stucke	Thatcher

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Eastgate moved that the vote by which Senate Bill No. 306 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Erickson moved that Senate Bill No. 263 be placed next to the head of the calendar.

Which motion prevailed.

Senator Matthaei moved that Senate Bill No. 263 be indefinitely postponed.

Senator Erickson demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the motion of Senator Matthaei to indefinitely postpone Senate Bill No. 263, 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.
Cain	Handley	Mutchler
Drew	Kroeber	Nelson, Barnes
Dubay	Lind	Nelson, Grand F'ks.
Eastgate	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Matthaei	Trovatten
Fredrickson	McGillic	Watt
Greene, Stutsman	Miklethun	Wog
Gronvold		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Owings
Braaten	Jones	Peterson
Brostuen	Kamrath	Strehlow
Coffey	Kolpin	Thorson
Erickson	Lemke	Vinje
Fowler	Marshall	Whelan
Greene, Cavalier	McDonald	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Stucke	Thatcher

So the motion prevailed and Senate Bill No. 263 was indefinitely postponed.

Senator Matthaei moved that the vote by which Senate Bill No. 263 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Senator Erickson demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the motion of Senator Matthaei, the roll was called and there were ayes, 20; nays, 25; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Drew	Lind	Nelson, Barnes
Eastgate	Lowe	Nelson, Grand Fks.
Fine	Lynn	Topp
Fredrickson	Marshall	Trovatten
Greene, Stutsman	Matthaei	Watt
Gronvold	Miklethun	Wog
Johnson	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Cavalier	Owings
Braaten	Handley	Peterson
Brostuen	Kamrath	Strehlow
Cain	Kolpin	Thorson
Coffey	Kroeber	Trout
Dubay	Lemke	Vinje
Erickson	McDonald	Whelan
Ettestad	McGillic	Young
Fowler		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Stucke	Thatcher
Jones		

So the motion was lost.

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, Sub-Section (b) of Section 4, and Section 13 of Chapter 215, Session Laws of 1931.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 27; nays, 16; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Johnson	McGillic
Brostuen	Jones	Nelson, Barnes
Coffey	Lemke	Peterson
Drew	Lind	Strehlow
Dubay	Lowe	Topp
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Wog
Greene, Cavalier	McDonald	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kamrath	Nelson, Grand Fks.
Cain	Kolpin	Owings
Fowler	Kroeber	Thorson
Fredrickson	Miklethun	Watt
Gronvold	Mutchler	Whelan
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Greene, Stutsman	Thatcher
Eastgate	Stucke	Trout

So the bill passed and the title was agreed to.

Senator Brostuen moved that the vote by which Senate Bill No. 100 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 101. A Bill for an Act to Establish a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Regulating the Sale and Distribution of the Same, Defining Certain Terms, Designating Standard Grades, Providing for an Inspection Service and for the Fixing of Fees and Other Charges and the Disposition of the Same, Defining Violations and Providing Penalties Therefor, Defining Certain Cooperative Functions, Charging Carriers with Certain Responsibilities, Providing for Enforcement and Prosecution, Providing for Effect of Partial Invalidity, and Providing for Administration of the Act Through the State Seed Commissioner and Giving Him Authority to Make Necessary Rules and Regulations, and to Administer Oaths, and to Have Free Access and Power of Seizure, and Providing for Supersedence of This Act.

Was read the second time.

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 26; nays, 18; absent and not voting, 5.

ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Johnson	Nelson, Barnes
Brostuen	Lemke	Peterson
Coffey	Lind	Strehlow
Drew	Lowe	Topp
Dubay	Lynn	Trovatten
Erickson	Marshall	Vinje
Ettestad	Matthaei	Wog
Fine	McDonald	Young
Greene, Cavalier	McGillic	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Mutchler
Cain	Jones	Nelson, Grand Fks.
Fowler	Kamrath	Owings
Fredrickson	Kolpin	Thorson
Greene, Stutsman	Kroeber	Watt
Gronvold	Miklethun	Whelan

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Stucke	Trout
Eastgate	Thatcher	

So the bill passed and the title was agreed to.

Senator Thorson moved that the vote by which Senate Bill No. 101 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Bonzer moved that Senate Bill Nos. 78 and 28 be taken up under the First Order of Business tomorrow morning.

Which motion prevailed.

Senate Bill No. 165. A Bill for an Act to Amend and Re-enact Section 3263 of the Compiled Laws of North Dakota for 1913, Relating to Re-districting Counties Into Commissioner Districts, Petition of Voters and Election Therefor, Question—How Submitted to Voters, and Repealing All Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 35; nays, 7; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Nelson, Barnes
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Cain	Kolpin	Strehlew
Coffey	Kroeber	Topp
Drew	Lemke	Trovatten
Dubay	Lowe	Vinje
Ettestad	Marshall	Watt
Fowler	Matthaei	Whelan
Greene, Stutsman	McDonald	Wog
Gronvold	McGillic	Young
Handley	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Erickson	Greene, Cavalier	Lynn
Fine	Lind	Thorson
Fredrickson		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Nelson, Grand Fks.	Thatcher
Eastgate	Stucke	Trout
Miklethun		

So the bill passed and the title was agreed to.

Senator Greene of Stutsman moved that the vote by which Senate Bill No. 165 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 198. A Bill for an Act Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Johnson	Miklethun
Braaten	Jones	Mutchler
Cain	Kolpin	Nelson, Barnes
Coffey	Kroeber	Owings
Drew	Lemke	Peterson
Dubay	Lind	Thorson
Fine	Lowe	Topp
Fowler	Lynn	Trovatten
Fredrickson	Marshall	Vinje
Greene, Cavalier	Matthaei	Whelan
Greene, Stutsman	McDonald	Wog
Handley	McGillic	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Gronvold	Strehlow
Erickson	Kamrath	Watt
Ettestad		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Nelson, Grand Fks.	Thatcher
Eastgate	Stucke	Trout

So the bill passed and the title was agreed to.

Senator Owings moved that the vote by which Senate Bill No. 198 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Erickson: "As this regulates everybody except the police and firemen, I am going to vote 'no'."

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 196 of the Laws of North Dakota, 1927, in Relation to the Levy of Taxes to Pay the Principal of and Interest on Bonds Issued by Municipalities Which Are Further Sustained by Revenue of a Revenue-Producing Utility, Industry, or Enterprise, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Miklethun
Braaten	Johnson	Mutchler
Brostuen	Jones	Nelson, Barnes
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Thorson
Erickson	Lind	Topp
Ettestad	Lowe	Trovatten
Fine	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	Matthaei	Whelan
Greene, Cavalier	McDonald	Wog
Greene, Stutsman	McGillic	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Nelson, Grand Fks.	Thatcher
Eastgate	Stucke	Trout

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Braaten moved that the vote by which Senate Bill No. 203 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Subsection 2 of Section 2 and Section 5 of Chapter 179 of the Session Laws of North Dakota, 1933, Authorizing

the Execution of a Mortgage or a Deed of Trust to Secure Mortgage Bonds and Making Such Bonds Negotiable.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Miklethun
Braaten	Johnson	Mutchler
Brostuen	Jones	Nelson, Barnes
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Thorson
Erickson	Lind	Topp
Ettestad	Lowe	Trovatten
Fine	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	Matthaei	Whelan
Greene, Cavalier	McDonald	Wog
Greene, Stutsman	McGillic	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Nelson, Grand Fks.	Thatcher
Eastgate	Stucke	Trout

So the bill passed and the title was agreed to.

Senator Kroeber moved that the vote by which Senate Bill No. 205 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 209. A Bill for an Act to Amend Section 17 of Chapter 196, Session Laws of North Dakota for the Year 1927, Authorizing the Private Sale of Bonds to the United States of America or Any Agency or Instrumentality Thereof Without Public Advertisement.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Miklethun
Brostuen	Jones	Mutchler

Messrs.	Messrs.	Messrs.
Cain	Kolpin	Nelson, Barnes
Coffey	Kroeber	Owings
Drew	Lemke	Peterson
Dubay	Lind	Topp
Ettestad	Lowe	Trovatten
Fine	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	Matthaei	Whelan
Greene, Stutsman	McDonald	Wog
Gronvold	McGillic	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Johnson	Strehlow
Erickson	Kamrath	Thorson
Greene, Cavalier		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Nelson, Grand Fks.	Thatcher
Eastgate	Stucke	Trout

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Nelson of Barnes moved that the vote by which Senate Bill No. 209 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 212. A Bill for an Act Validating, Ratifying, Approving and Confirming Bonds, Warrants and Other Instruments or Obligations Heretofore Issued by Public Bodies of This State for the Purpose of Financing in Whole or in Part Public Works Projects, and Validating All Proceedings Heretofore Taken for the Incorporation of Any Public Body as Defined in the Act, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Handley	Miklethun
Braaten	Jones	Mutchler
Brostuen	Kamrath	Nelson, Barnes
Cain	Kolpin	Owings
Coffey	Kroeber	Peterson
Drew	Lemke	Strehlow
Dubay	Lind	Topp
Ettestad	Lowe	Trovatten

Messrs.	Messrs.	Messrs.
Fine	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	Matthaei	Whelan
Greene, Stutsman	McDonald	Wog
Gronvold	McGillic	Young

Those voting in the negative were:

Messrs.	Messrs.
Erickson	Johnson
Greene, Cavalier	Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Nelson, Grand Fks.	Thatcher
Eastgate	Stucke	Trout

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Kolpin moved that the vote by which Senate Bill No. 212 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 216. A Bill for an Act Amending and Re-enacting Section 16 of Chapter 196 of the Laws of North Dakota for the Year 1927, and Relating to the Execution, Registration, Certification and Delivery of Bonds Issued by a Municipality.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, 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.
Bonzer	Handley	Mutchler
Braaten	Kamrath	Nelson, Barnes
Brostuen	Kolpin	Owings
Cain	Kroeber	Peterson
Coffey	Lemke	Strehlow
Drew	Lowe	Topp
Dubay	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Erickson	Johnson	Lind
Greene, Cavalier	Jones	Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Nelson, Grand Fks.	Thatcher
Eastgate	Stucke	Trout

So the bill passed and the title was agreed to.

Senator Handley moved that the vote by which Senate Bill No. 216 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 221. A Bill for an Act to Amend and Re-enact Section 3583 of the Compiled Laws of North Dakota for 1913, as Amended by Section 2 of Chapter 167 of the Session Laws of the State of North Dakota for 1933, Relating to Terms of Office of Aldermen, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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:

Bonzer	Gronvold	McGillic
Braaten	Handley	Miklethun
Brostuen	Johnson	Mutchler
Cain	Jones	Nelson, Barnes
Coffey	Kamrath	Peterson
Drew	Kolpin	Strehlow
Dubay	Kroeber	Thorson
Erickson	Lemke	Topp
Ettestad	Lind	Trovatten
Fine	Lowe	Vinje
Fowler	Lynn	Watt
Fredrickson	Marshall	Whelan
Greene, Cavalier	Matthaei	Wog
Greene, Stutsman	McDonald	Young

Those voting in the negative were:

Messrs.
Owings

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Nelson, Grand Fks.	Thatcher
Eastgate	Stucke	Trout

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Dubay moved that the vote by which Senate Bill No. 221 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 222. A Bill for an Act to Amend and Re-enact Section 4058 of the Compiled Laws of North Dakota for 1913, as Amended by Section 1 of Chapter 180 of the Session Laws of the State of North Dakota for 1929, Relating to the Organization of a Board of Park Commissioners, Defining the Qualifications, Mode of Election and Term of Office of Such Commissioners and Prescribing the Manner of Filling Vacancies of Said Board, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Mutchler
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Drew	Lemke	Thorson
Dubay	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Kamrath	Stucke
Eastgate	Nelson, Grand Fks.	Thatcher

So the bill passed and the title was agreed to.

Senator Greene of Cavalier 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.

Senator Greene of Stutsman moved that Senate Bill No. 223 be amended as follows:

Line 10, page 1, of the printed bill, change "five o'clock" to "seven o'clock."

Which motion prevailed.

Senator Greene of Stutsman moved that the rules be sus-

pending and that Senate Bill No. 223 as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 223. A Bill for an Act to Amend and Re-enact Section 3666 of the Compiled Laws of North Dakota for 1913, Relating to the Time, Place and Manner of Holding City Elections in Cities Under the City Council Form of Government, and Providing That Elective Officers Serve Until Their Successors Are Elected and Qualify, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Miklethun
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Cain	Jones	Owings
Coffey	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Thorson
Erickson	Lind	Topp
Ettestad	Lowe	Trovatten
Fine	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	Matthaei	Whelan
Greene, Cavalier	McDonald	Wog
Greene, Stutsman	McGillic	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Nelson, Grand Fks.	Thatcher
Eastgate	Stucke	Trout
Kamrath		

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Wog moved that the vote by which Senate Bill No. 223 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Erickson moved that further consideration of Senate Bill No. 252 be indefinitely postponed.

Which motion was lost.

Senate Bill No. 252. An Act Providing for the Speedy Liquidation of Insolvent Banks, Providing Procedure

for Liquidating and Closing Receiverships of Insolvent Banks, Granting Additional Powers to the Supreme Court and Directing the Procedure to Be Had by Said Court and Defining the Powers and Duties of the Supreme Court in Bank Receiverships.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Johnson	Mutchler
Brostuen	Jones	Nelson, Barnes
Coffey	Kamrath	Owings
Drew	Kolpin	Peterson
Dubay	Lemke	Strehlow
Ettestad	Lind	Thorson
Fine	Lowe	Topp
Fowler	Lynn	Trovatten
Fredrickson	Marshall	Vinje
Greene, Cavalier	Matthaei	Watt
Greene, Stutsman	McDonald	Whelan
Gronvold	McGillic	Wog
Handley	Miklethun	Young

Those voting in the negative were:

Messrs.	Messrs.
Braaten	Erickson
Cain	Kroeber

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Nelson, Grand Fks.	Thatcher
Eastgate	Stucke	Trout

So the bill passed and the title was agreed to.

Senator Handley moved that the vote by which Senate Bill No. 252 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 269. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by "Company G" 1st Regiment North Dakota National Guard Training School, a Corporation, as Mortgagor, to the State of North Dakota, Dated January 25th, 1909, Filed for Record in the Office of the Register of Deeds of Barnes County, North Dakota, on April 9th, 1909, at Two O'Clock, P. M. and Recorded in Book 43 of Mortgages on Page 3, and Covering Lot Sixteen (16) and the North Half (N½) of Lot Seventeen (17) in

Block Seventeen (17) of the Original Plat of Valley City, North Dakota.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Mutchler
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Topp
Erickson	Lind	Trout
Ettestad	Lowe	Trovatten
Fine	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	Matthaei	Whelan
Greene, Cavalier	McDonald	Wog
Greene, Stutsman	McGillic	Young
Gronvold	Miklethun	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Nelson, Grand Fks.	Thorson
Eastgate	Thatcher	

So the bill passed and the title was agreed to.

Senator Lowe moved that the vote by which Senate Bill No. 269 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 271. A Bill for an Act Empowering the Board of County Commissioners to Abate, Cancel or Reduce Personal Property Taxes Upon Evidence Satisfying Said Commissioners of the Unjustness of the Assessment or Taxes; Providing a Manner Through Which the Same May Be Done, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 39; nays, 2; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	McGillic
Brostuen	Johnson	Miklethun

Messrs.	Messrs.	Messrs.
Coffey	Jones	Mutchler
Drew	Kamrath	Nelson, Barnes
Dubay	Kolpin	Owings
Erickson	Kroeber	Peterson
Ettestad	Lemke	Strehlow
Fine	Lind	Topp
Fowler	Lowe	Trovatten
Fredrickson	Lynn	Vinje
Greene, Cavalier	Marshall	Watt
Greene, Stutsman	Matthaei	Wog
Gronvold	McDonald	Young

Those voting in the negative were:

Messrs.	Messrs.
Braaten	Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Nelson, Grand Fks.	Trout
Crandall	Stucke	Whelan
Eastgate	Thatcher	

So the bill passed and the title was agreed to.

Senator Lind moved that the vote by which Senate Bill No. 271 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 275. A Bill for an Act Creating a City Board of Inspectors to Be Known as "Painters and Decorators Inspection Board" in Cities of Two Thousand Population or Over; Providing for the Appointment of the Members of the Said Board; Requiring All Painters, Decorators, and Paperhangers to Obtain Permits From Said City Board; Providing for the Inspection of Work of Painters, Decorators and Paperhangers; Providing for the License Fee and Penalties for the Violation Thereof and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 33; nays, 10; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kamrath	Miklethun
Braaten	Kolpin	Mutchler
Cain	Kroeber	Nelson, Barnes
Coffey	Lemke	Owings
Dubay	Lind	Peterson
Fine	Lowe	Thorson
Fowler	Lynn	Topp
Greene, Stutsman	Marshall	Vinje
Handley	Matthaei	Whelan

Messrs.	Messrs.	Messrs.
Johnson	McDonald	Wog
Jones	McGillic	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Fredrickson	Strehlow
Drew	Greene, Cavalier	Trovatten
Erickson	Gronvold	Watt
Ettestad		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Nelson, Grand Fks.	Thatcher
Eastgate	Stucke	Trout

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator McDonald moved that the vote by which Senate Bill No. 275 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 282. A Bill for an Act to Permit Mutual Cyclone and Tornado Insurance Companies to Insure Its Members Against Fire or Lightning.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Miklethun
Braaten	Johnson	Mutchler
Brostuen	Jones	Nelson, Barnes
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Thorson
Erickson	Lind	Topp
Ettestad	Lowe	Trovatten
Fine	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	Matthaei	Whelan
Greene, Cavalier	McDonald	Wog
Greene, Stutsman	McGillic	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Nelson, Grand Fks.	Thatcher
Eastgate	Stucke	Trout

So the bill passed and the title was agreed to.

Senator Matthaei moved that the vote by which Senate Bill No. 282 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

James Bruce, Baker, Montana; O. E. Bruhjell, Dunseith; E. W. Gilbertson, Devils Lake; Haaken Skramstad, Anton Lee, Fingal; Dr. A. O. Arneson, McVile; Mr. and Mrs. Jas. Watt, Leonard; Geo. Stienway, Woods; A. O. Schollander, H. A. Pressler, of Fargo; Geo. Fields, Ralph Inck, Art Nelson, of Carrington; Former Senators C. J. Olson and Frank Ployhar and Joe Heiling of Valley City; C. E. Colcord, Wm. Danielson of Mohall; George P. Wolf, Henry Rustad of Wahpeton; D. J. Lokken, Colfax.

Senator Bonzer moved that the Senate recess until 9:30 A. M.

Which motion prevailed.

The Senate stood recessed.

F. E. TUNELL,
Secretary.

FIFTIETH DAY AFTER RECESS AND
FIFTY-FIRST DAY

Senate Chamber,
Bismarck, North Dakota,
February 27, 1935.

The Senate convened at 9:30 o'clock A. M., President pro tem. Marshall presiding.

Senator Dubay moved that Senate Bill No. 225 be placed at the head of the calendar.

Senate Bill No. 225 was read the second time.

Senator Dubay moved that Senate Bill No. 225 be placed at the foot of the calendar.

Senator Dubay moved that Senate Bill No. 298 be placed at the head of the calendar.

Which motion prevailed.

Senate Bill No. 298 was read the second time.

Senator Dubay moved that Senate Bill No. 298 be placed at the foot of the calendar.

Which motion prevailed.

Senator McDonald moved that Senate Bill No. 78 be made a special order of business at 10:30 A. M.

Which motion prevailed.

Senator Bonzer moved that Senate Bill No. 28 be made a special order of business following Senate Bill No. 78.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 286. A Bill for an Act Validating Payments Heretofore Made by the State or Municipalities for Payments of Workmen's Compensation Insurance; Authorizing Municipalities to Pay Such Premiums With Any Moneys Except Special Levies and to Draw Special Warrants for Premiums Where Funds Are Unavailable and Re-

pealing All Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.

ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Coffey	Kamrath	Strehlow
Crandall	Kroeber	Thorson
Drew	Lemke	Trout
Dubay	Lind	Trovatten
Erickson	Lynn	Vinje
Ettestad	Marshall	Watt
Fine	McDonald	Wog
Fredrickson	McGillic	Young
Greene, Stutsman	Miklethun	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Kolpin	Stucke
Eastgate	Lowe	Thatcher
Fowler	Matthaei	Topp
Greene, Cavalier	Nelson, Barnes	Whelan
Jones	Peterson	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Bonzer moved that the vote by which Senate Bill No. 286 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 287. A Bill for an Act Authorizing the Workmen's Compensation Bureau to Carry Compensation Insurance on Employees on National Recovery Work Projects and to Calculate and Determine Rates on a State Wide Experience Basis.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Strehlow
Coffey	Kamrath	Stucke
Crandall	Kroeber	Thorson
Drew	Lemke	Topp
Dubay	Lind	Trout
Eastgate	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	McDonald	Watt
Fowler	McGillic	Wog
Fredrickson	Miklethun	Young
Greene, Stutsman		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Lowe	Peterson
Greene, Cavalier	Matthaei	Thatcher
Kolpin	Nelson, Barnes	Whelan

So the bill passed and the title was agreed to.

Senator Bonzer moved that the vote by which Senate Bill No. 287 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 292. A Bill for an Act Amending Section 10254 of the Compiled Laws of 1913, Relating to Jumping of Hotel Bills and Bills for Food, Lodging, or Other Accommodations, at Any Hotel, Lodging House, Inn, Boarding or Eating House.

Was read the second time.

ROLL CALL

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.
Bonzer	Greene, Stutsman	Mutchler
Braaten	Gronvold	Nelson, Grand Fks.
Brostuen	Handley	Owings
Coffey	Jones	Strehlow
Crandall	Kamrath	Stucke
Drew	Kolpin	Thatcher
Dubay	Kroeber	Topp
Eastgate	Lemke	Trout
Erickson	Lind	Trovatten
Ettestad	Marshall	Vinje
Fine	McDonald	Watt

Messrs.	Messrs.	Messrs.
Fowler	McGillic	Wog
Fredrickson	Miklethun	Young

Those voting in the negative were:

Messrs.
Johnson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Lynn	Peterson
Greene, Cavalier	Matthaei	Thorson
Lowe	Nelson, Barnes	Whelan

So the bill passed and the title was agreed to.

Senator Owings moved that the vote by which Senate Bill No. 292 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 299. A Bill for an Act Authorizing the Governing Boards of Cities to Provide Group Life, Health and Accident Insurance on the Employees of Said City and to Pay the Premiums Thereon and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Grand Fks.
Braaten	Handley	Owings
Brostuen	Johnson	Strehlow
Coffey	Jones	Stucke
Crandall	Kamrath	Thorson
Drew	Kolpin	Topp
Dubay	Lemke	Trout
Eastgate	Lind	Trovatten
Erickson	Lynn	Vinje
Ettestad	Marshall	Watt
Fine	McDonald	Whelan
Fowler	McGillic	Wog
Fredrickson	Miklethun	Young
Greene, Stutsman	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Lowe	Peterson
Greene, Cavalier	Matthaei	Thatcher
Kroeber	Nelson, Barnes	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Jones moved that the vote by which Senate Bill No. 299 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 300. A Bill for an Act to Amend and Re-enact Section 3591a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Requiring Cities to Publish in the Official Paper Proceedings of the City Councils With Certain Cities Excepted, and Repealing All Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Strehlow
Coffey	Kamrath	Stucke
Crandall	Kolpin	Thorson
Drew	Kroeber	Topp
Dubay	Lemke	Trout
Eastgate	Lind	Trovatten
Erickson	Lynn	Vinje
Ettestad	Marshall	Watt
Fine	McDonald	Whelan
Fowler	McGillic	Wog
Fredrickson	Miklethun	Young
Greene, Stutsman		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Greene, Cavalier	Matthaei	Peterson
Lowe	Nelson, Barnes	Thatcher

So the bill passed and the title was agreed to.

Senator Kroeber moved that the vote by which Senate Bill No. 300 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 302. A Bill for an Act to Regulate Collection Agencies, and for the Protection of the People in General from Unscrupulous and Irresponsible Agents and Individuals Calling Themselves Collection Agencies.

Was read the second time.

ROLL CALL

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.
Bonzer	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Crandall	Kroeber	Strehlow
Drew	Lemke	Stucke
Dubay	Lind	Thorson
Eastgate	Marshall	Trout
Erickson	McDonald	Trovatten
Ettestad	McGillic	Vinje
Fine	Miklethun	Watt
Fredrickson	Mutchler	Wog
Greene, Stutsman	Nelson, Barnes	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Coffey	Handley	Lynn
Fowler	Kolpin	Topp
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Braaten	Lowe	Thatcher
Greene, Cavalier	Matthaei	Whelan

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Nelson of Grand Forks moved that the vote by which Senate Bill No. 302 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 27, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 14. 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.

Also,

Senate Bill No. 264. A Bill for an Act Relating to Licens-

ing of Motor Vehicle Operators and Chauffeurs and to the Liability of Certain Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fee to be Paid; Providing for Examination of Applicant; Providing for Suspension or Revocation of License; Making Disposition of Fees Collected; Providing for Penalty for Violating Act; Repealing All Acts in Conflict Herewith.

Also,

Senate Bill No. 217. A Bill for an Act to Amend and Re-enact Chapter 220, Session Laws of the State of North Dakota for the year 1933, Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Summary Reduction of the Same, Relating to Hearings, and Investigations; and Relating to Valuation and/or Revaluation of Property of Public Utility Companies and Corporations by the Board of Railroad Commissioners; Relating to Payment of Expenses of Such Hearings, and Investigations, and Valuations and/or Revaluations and the Methods of Assessing and Collecting the Same; and Repealing All Acts or Parts of Acts in Conflict Herewith; and Making an Appropriation for the Valuation by Board of Public Commissioners of the Property of the Public Utilities, Subject to the Provisions of Chapter 192 of the Session Laws of 1919, Creating a Revolving Fund, and Declaring an Emergency.

Also,

Senate Bill No. 260. A Bill for an Act Creating a State Highway Patrol for the State of North Dakota; Authorizing the Attorney General to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Amending Chapter 102 of the Session Laws of North Dakota for the Year 1933 Relating to Bureau of Criminal Identification; Fixing Compensation and Providing for Disposition of Fines Collected; and Declaring an Emergency.

Also,

Senate Bill No. 1. 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. 273. A Bill for an Act to Appropriate the Sum of One Thousand Dollars (\$1,000.00) From Any Moneys in the State Highway Fund for the Purpose of Making a Preliminary Survey and Soundings for the Construction of a Bridge Across the Little Missouri River at or Near the

Intersection of the Little Missouri River With the Trail Passing South of Independence and Crossing Section Twenty-seven (S. 27), Township One Hundred Forty-eight (T. 148), Range Ninety-one (R. 91) Dunn County, North Dakota, Approximately Four Miles Northwest of the Fort Berthold Bridge, Also Known as the Four Bears Bridge, Under the Provisions of Chapter Seventy-three (73) of the Laws of North Dakota for the year Nineteen Hundred Nineteen (1919) (Sections 1952a1 and 1952a2 of the 1925 Supplement to the Compiled Laws of 1913) as Amended and Re-enacted by Chapter 161, Laws of 1927, as Amended and Re-enacted by Chapter 140 of the Laws of 1929, and Directing the State Highway Commissioner Forthwith to Designate Said Trail as a Feeder Road to State and Federal Highway No. 8, and to Forthwith Make Said Soundings and Survey, and Select a Bridge Site; and Directing Said Highway Commissioner Forthwith to Construct Such Bridge, and Do All Necessary Preliminary Acts Therein.

Also,

Senate Bill No. 294. A Bill for an Act to Amend and Re-enact Section 2346a11 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 253 of the 1933 Session Laws; Section 2346a20 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 4 of Chapter 253 of the 1933 Session Laws; Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Sub-section 4 of Section 4 of Chapter 283 of the 1931 Session Laws, Relating to the Taxation of Income of Individuals, Fiduciaries and Corporations; Repealing That Portion of Section 2346a46 of the Supplement to the Compiled Laws of 1913 as was Amended and Re-enacted by Paragraph (b) of Sub-section 4 of Section 6 of Chapter 283 of the 1931 Session Laws and Repealing Sub-section 7 of Section 4 of Chapter 283 of the 1931 Session Laws, and Repealing Sub-section 7 of Section 2346a30 of the 1925 Supplement to the Compiled Laws, and All Other Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 164. A Bill for an Act to Amend and Re-enact Section 4 (a) of Chapter 166 of the Session Laws of North Dakota for the Year 1929, and to Amend and Re-enact Section 6 of Chapter 189 of the Session Laws of North Dakota for the Year 1931, Being 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; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; 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.

Also,

Senate Bill No. 181. A Bill for an Act to Regulate the

Employment of Teachers in the Public Schools of the Classified First, Second, and the Third Class High Schools; of the First, Second, and Third Class Graded and Consolidated Schools; and in State Institutions of Higher Learning, and Fixing the Conditions Under Which They May Hold Their Positions, or May Be Discharged.

Also,

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 339 of the Compiled Laws of North Dakota for 1913, Relating to Selection of School Lands for Leasing, Advertising Same, Auction When Held, Commencement of Lease, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 160. A Bill for an Act to Amend and Re-enact Chapter 272 of the Session Laws of 1931, Authorizing the Board of Administration, with the Approval and Consent of the Governor, to Transfer the License of the Radio Station Located at the State University of North Dakota at Grand Forks, North Dakota.

Also,

Senate Bill No. 262. A Bill for an Act Temporarily Extending the Time in Which Redemption May Be Made from Tax Sales and Extending the Time in Which Holders of Tax Sales Certificates May Present the Same for Obtaining Tax Deeds, and Extending the Time in Which Tax Deeds May Be Obtained, and Declaring an Emergency and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, Sub-Section (b) of Section 4, and Section 13 of Chapter 215, Session Laws of 1931.

Also,

Senate Bill No. 101. A Bill for an Act to Establish a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Regulating the Sale and Distribution of the Same, Defining Certain Terms, Designating Standard Grades, Providing for an Inspection Service and for the Fixing of Fees and Other Charges and the Disposition of the Same, Defining Violations and Providing Penalties Therefor, Defining Certain Cooperative Functions, Charging Carriers with Certain Responsibilities, Providing for Enforcement and Prosecution, Providing for Effect of Partial Invalidity, and Providing for Administration of the Act Through the State Seed Commissioner and Giving Him Authority to Make Necessary Rules and Regulations, and to Administer Oaths, and to Have Free Access and Power of Seizure, and Providing for Supersedence of This Act.

Also,

Senate Bill No. 165. A Bill for an Act to Amend and Re-

enact Section 3263 of the Compiled Laws of North Dakota for 1913, Relating to Re-districting Counties Into Commissioner Districts, Petition of Voters and Election Therefor, Question—How Submitted to Voters, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 198. A Bill for an Act Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 196 of the Laws of North Dakota, 1927, in Relation to the Levy of Taxes to Pay the Principal of and Interest on Bonds Issued by Municipalities Which Are Further Sustained by Revenue of a Revenue-Producing Utility, Industry, or Enterprise.

Also,

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Subsection 2 of Section 2 and Section 5 of Chapter 179 of the Session Laws of North Dakota, 1933, Authorizing the Execution of a Mortgage or a Deed of Trust to Secure Mortgage Bonds and Making Such Bonds Negotiable.

Also,

Senate Bill No. 209. A Bill for an Act to Amend Section 17 of Chapter 196, Session Laws of North Dakota for the Year 1927, Authorizing the Private Sale of Bonds to the United States of America or Any Agency or Instrumentality Thereof Without Public Advertisement.

Also,

Senate Bill No. 212. A Bill for an Act Validating, Ratifying, Approving and Confirming Bonds, Warrants and Other Instruments or Obligations Heretofore Issued by Public Bodies of This State for the Purpose of Financing in Whole or in Part Public Works Projects, and Validating All Proceedings Heretofore Taken for the Incorporation of Any Public Body as Defined in the Act, and Declaring an Emergency.

Also,

Senate Bill No. 216. A Bill for an Act Amending and Re-enacting Section 16 of Chapter 196 of the Laws of North Dakota for the Year 1927, and Relating to the Execution, Registration, Certification and Delivery of Bonds Issued by a Municipality.

Also,

Senate Bill No. 221. A Bill for an Act to Amend and Re-enact Section 3583 of the Compiled Laws of North Dakota for 1913, as Amended by Section 2 of Chapter 167 of the

Session Laws of the State of North Dakota for 1933, Relating to Terms of Office of Aldermen, and Declaring an Emergency.

Also,

Senate Bill No. 222. A Bill for an Act to Amend and Re-enact Section 4058 of the Compiled Laws of North Dakota for 1913, as Amended by Section 1 of Chapter 180 of the Session Laws of the State of North Dakota for 1929, Relating to the Organization of a Board of Park Commissioners, Defining the Qualifications, Mode of Election and Term of Office of Such Commissioners and Prescribing the Manner of Filling Vacancies of Said Board, and Declaring an Emergency.

Also,

Senate Bill No. 252. A Bill for an Act Providing for the Speedy Liquidation of Insolvent Banks, Providing Procedure for Liquidating and Closing Receiverships of Insolvent Banks, Granting Additional Powers to the Supreme Court and Directing the Procedure to Be Had by Said Court and Defining the Powers and Duties of the Supreme Court in Bank Receiverships.

Also,

Senate Bill No. 269. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by "Company G" 1st Regiment North Dakota National Guard Training School, Corporation, as Mortgagor, to the State of North Dakota, Dated January 25th, 1909, Filed for Record in the Office of the Register of Deeds of Barnes County, North Dakota, on April 9th, 1909, at Two O'Clock, P. M. and Recorded in Book 43 of Mortgages on Page 3, and Covering Lot Sixteen (16) and the North Half (N½) of Lot Seventeen (17) in Block Seventeen (17) of the Original Plat of Valley City, North Dakota.

Also,

Senate Bill No. 271. A Bill for an Act Empowering the Board of County Commissioners to Abate, Cancel or Reduce Personal Property Taxes Upon Evidence Satisfying Said Commissioners of the Unjustness of the Assessment or Taxes; Providing a Manner Through Which the Same May Be Done, and Declaring an Emergency.

Also,

Senate Bill No. 275. A Bill for an Act Creating a City Board of Inspectors to Be Known as "Painters and Decorators Inspection Board" in Cities of Two Thousand Population or Over; Providing for the Appointment of the Members of the Said Board; Requiring All Painters, Decorators, and Paperhangers to Obtain Permits From Said City Board; Providing for the Inspection of Work of Painters, Decorators and Paperhangers; Providing for the License Fee and Penalties for the Violation Thereof and Declaring an Emergency.

Also,

Senate Bill No. 282. A Bill for an Act to Permit Mutual Cyclone and Tornado Insurance Companies to Insure Its Members Against Fire or Lightning.

Also,

Senate Bill No. 286. A Bill for an Act Validating Payments Heretofore Made by the State or Municipalities for Payments of Workmen's Compensation Insurance; Authorizing Municipalities to Pay Such Premiums With Any Moneys Except Special Levies and to Draw Special Warrants for Premiums Where Funds Are Unavailable and Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 287. A Bill for an Act Authorizing the Workmen's Compensation Bureau to Carry Compensation Insurance on Employees on National Recovery Work Projects and to Calculate and Determine Rates on a State Wide Experience Basis.

Also,

Senate Bill No. 292. A Bill for an Act Amending Section 10254 of the Compiled Laws of 1913, Relating to Jumping of Hotel Bills and Bills for Food, Lodging, or Other Accommodations, at Any Hotel, Lodging House, Inn, Boarding or Eating House.

Also,

Senate Bill No. 300. A Bill for an Act to Amend and Re-enact Section 3591a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Requiring Cities to Publish in the Official Paper Proceedings of the City Councils With Certain Cities Excepted, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 299. A Bill for an Act Authorizing the Governing Boards of Cities to Provide Group Life, Health and Accident Insurance on the Employees of Said City and to Pay the Premiums Thereon and Declaring an Emergency.

Also,

Senate Bill No. 302. A Bill for an Act to Regulate Collection Agencies, and for the Protection of the People in General from Unscrupulous and Irresponsible Agents and Individuals Calling Themselves Collection Agencies.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Fowler moved that Senate Bill No. 307 be amended as follows:

Section 2, sub-division (e), page 2, line 22, strike out the period after the word "slaughter," insert a comma and add the following language: "except for the purpose of experiment and development of breeds of livestock."

Which motion prevailed.

Senator Fowler moved that Senate Bill No. 307 be amended as follows:

Page 2, line 22, between the words "slaughter and except," insert the following language: "and for the purpose and with the intent of depressing the market."

Which motion was lost.

Senator Fine moved that the rules be suspended and that Senate Bill No. 307, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 307. A Bill for an Act Prohibiting Packers from Purchasing or Acquiring Livestock for the Purpose of Feeding and Fattening the Same, and Regulating the Business of Packers Within the State of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 27; nays, 19; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Kamrath	Nelson, Barnes
Brostuen	Kolpin	Owings
Drew	Lemke	Peterson
Fine	Lind	Stucke
Fredrickson	Marshall	Thorson
Greene, Cavalier	McDonald	Trout
Greene, Stutsman	McGillic	Trovatten
Johnson	Miklethun	Vinje
Jones	Mutchler	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Fowler	Nelson, Grand Fks.
Cain	Gronvold	Strehlow
Coffey	Handley	Topp
Crandall	Kroeber	Watt
Dubay	Lowe	Whelan
Eastgate	Lynn	Young
Ettestad		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Matthaei	Thatcher

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Fine moved that the vote by which Senate Bill No. 307 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Wog moved that Senate Bill No. 78 be amended as follows:

On page 2, after line 20, strike out the line "State Code of Fair Competition."

Which motion prevailed.

Senator Wog moved that the rules be suspended and that Senate Bill No. 78 as amended, be considered properly re-encrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 78. A Bill for an Act Providing for Relief of Unemployment, Organization of Industry, Removal of Burdens From and Obstructions to the Free Flow of Commerce, for the Establishment of Codes of Fair Competition Within the State of North Dakota to Provide for the General Welfare of Our People, and to Encourage State and National Recovery by Cooperating With the National Government in Fostering and Enforcing Codes of Fair Competition, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Lemke	Nelson, Barnes
Drew	Lind	Owings
Dubay	Marshall	Stucke
Erickson	Matthaei	Thorson
Fine	McDonald	Topp
Johnson	McGillic	Wog
Jones	Miklethun	Young
Kamrath	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Cavalier	Nelson, Grand Fks.
Brostuen	Greene, Stutsman	Peterson

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Strehlow
Coffey	Handley	Trout
Crandall	Kolpin	Trovatten
Eastgate	Kroeber	Vinje
Ettestad	Lowe	Watt
Fowler	Lynn	Whelan
Fredrickson		

Absent and not voting:

Messrs.
Thatcher

So the bill was lost.

Senator Bonzer moved that the vote by which Senate Bill No. 78 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Whelan moved that the vote by which Senate Bill No. 162 was lost be reconsidered.

Senator Erickson demanded a Roll Call.

A Roll Call was granted.

ROLL CALL

The question being on the motion of Senator Whelan to reconsider the vote by which Senate Bill No. 162 was lost, 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.
Bonzer	Handley	Marshall
Braaten	Johnson	McDonald
Brostuen	Jones	McGillic
Cain	Kamrath	Miklethun
Crandall	Kolpin	Strehlow
Erickson	Kroeber	Thorson
Fine	Lemke	Trout
Fowler	Lind	Whelan
Greene, Cavalier	Lynn	Young
Greene, Stutsman		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Coffey	Lowe	Stucke
Drew	Matthaei	Topp
Dubay	Mutchler	Trovatten
Eastgate	Nelson, Barnes	Vinje
Ettestad	Nelson, Grand Fks.	Watt
Fredrickson	Owings	Wog
Gronvold	Peterson	

Absent and not voting:

Messrs.

Thatcher

So the motion prevailed.

Senator Greene of Stutsman moved that Senate Bill No. 162 be placed at the foot of the calendar.

Which motion prevailed.

Senator Erickson moved that Senate Bill No. 28 be placed at the foot of the calendar.

Which motion was lost.

Senator Ettestad moved that Senate Bill No. 28 be indefinitely postponed.

Senator Fine demanded a Roll Call.

A Roll Call was granted.

ROLL CALL

The question being on the motion of Senator Ettestad to indefinitely postpone Senate Bill No. 28, the roll was called and there were ayes, 17; nays, 30; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.

Cain
Coffey
Crandall
Eastgate
Fowler
Gronvold

Messrs.

Handley
Kroeber
Lowe
Lynn
Mutchler
Nelson, Grand Fks.

Messrs.

Strehlow
Topp
Trovatten
Watt
Whelan

Those voting in the negative were:

Messrs.

Bonzer
Braaten
Brostuen
Drew
Dubay
Ettestad
Fine
Fredrickson
Greene, Cavalier
Greene, Stutsman

Messrs.

Johnson
Jones
Kamrath
Kolpin
Lemke
Lind
Marshall
Matthaei
McDonald
McGillic

Messrs.

Miklethun
Nelson, Barnes
Owings
Peterson
Stucke
Thorson
Trout
Vinje
Wog
Young

Absent and not voting:

Messrs.

Erickson

Messrs.

Thatcher

So the motion was lost.

Senator Bonzer moved that Senate Bill No. 28 be amended as follows:

In line 11 change the word "six" to "seven."

Senator Fowler demanded a Roll Call.

A Roll Call was granted.

ROLL CALL

The question being on the motion of Senator Bonzer to amend Senate Bill No. 28, 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.
Bonzer	Handley	Nelson, Grand Fks.
Cain	Jones	Strehlow
Coffey	Kroeber	Topp
Crandall	Lind	Trovatten
Drew	Lowe	Vinje
Eastgate	Lynn	Watt
Ettestad	Matthaei	Whelan
Fowler	McGillic	Wog
Gronvold	Mutchler	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Johnson	Nelson, Barnes
Brostuen	Kamrath	Owings
Dubay	Kolpin	Peterson
Fine	Lemke	Stucke
Fredrickson	Marshall	Thorson
Greene, Cavalier	McDonald	Trout
Greene, Stutsman	Miklethun	

Absent and not voting:

Messrs.	Messrs.
Erickson	Thatcher

So the motion prevailed.

Senator Bonzer moved that the rules be suspended and that Senate Bill No. 28 as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 28. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of the State of North Dakota, as Amended by Chapter 274, Session Laws of 1927 and as amended by Chapter 140 of the Session Laws of 1933, Defining Usury.

Was read the second time.

ROLL CALL

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.
Bonzer	Johnson	Nelson, Barnes
Braaten	Jones	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Crandall	Lemke	Stucke
Drew	Lind	Thorson
Dubay	Lowe	Topp
Eastgate	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Gronvold	Mutchler	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Greene, Stutsman	Thatcher

So the bill passed and the title was agreed to.

Senator Whelan moved that the vote by which Senate Bill No. 28 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator McDonald moved that Senate Bill No. 235 be placed at the head of the calendar.

Which motion prevailed.

Senator Fowler moved that Senate Bill No. 235 be amended as follows:

In line 55, page 2, Section 998 after the word "before" strike out the remainder of line 55, lines 56 and 57 to and including the word "union" and insert in lieu thereof the following language: "Any officer authorized by law to administer oath and who has a seal."

Which motion prevailed.

Senator Fowler moved that the rules be suspended and that Senate Bill No. 235, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 235. A Bill for an Act to Amend and Re-enact Sections 994, 997, 998 and 1001 of the 1913 Compiled Laws of the State of North Dakota, as Amended, Relating to Absent Voter Ballots; Repealing All Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thorson
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Ettestad	Lowe	Trovatten
Fine	Lynn	Vinje
Fowler	Marshall	Whelan
Fredrickson	McDonald	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.
Matthaei	Watt

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	McGillic	Thatcher

So the bill passed and the title was agreed to.

Senator Thorson moved that the vote by which Senate Bill No. 235 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 27, 1935.

Mr. President: I have the honor to inform you that the House requests the return of House Bill No. 362.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 27, 1935.

Mr. Speaker: I have the honor to return House Bill No. 362 which the House has requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Brostuen moved that Senate Bill No. 225 be placed at the head of the calendar.

Which motion prevailed.

Senate Bill No. 225. A Bill for an Act to Provide for the Incorporation of Cooperative Grazing Associations to Aid in the Conservation, Restoration, Improvement, Development and Utilization of Forage Resources in the State of North Dakota; to Authorize Such Associations to Lease County, State, Federal, or Other Lands for Such Purposes, and to Create Grazing Districts, and to Provide for the Management and Use of Such Lands Which Will Best Conserve, Restore, Improve and Develop the Forage Value Thereof.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Mutchler	Wog
Greene, Stutsman	Nelson, Barnes	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Johnson	McGillic
Erickson	Lowe	Thatcher

So the bill passed and the title was agreed to.

Senator Wog moved that the vote by which Senate Bill No. 225 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Brostuen moved that Senate Bill No. 296 be placed at the head of the calendar.

Which motion prevailed.

Senate Bill No. 296. A Bill for an Act to Provide for the Creation of Water Conservation Districts; to Provide for Water Conservation Commissioners and Fix Their Powers and Duties; to Provide for a State Water Conservation Commissioner and Fix His Powers and Duties; to Provide for the Acquisition of Property Rights and the Assessment of Benefits Against the Property Affected, and to Provide for the Levy of Special Assessments and Prescribing the Duties of County Commissioners Relating to Water Conservation Projects, Providing for the Exemption of Federal Projects and Agencies, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	McDonald	Vinje
Fowler	Miklethun	Watt
Greene, Cavalier	Mutchler	Whelan
Gronvold	Nelson, Barnes	Wog
Handley	Nelson, Grand Fks.	Young
Johnson		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fredrickson	Matthaei
Cain	Greene, Stutsman	McGillic
Erickson	Low	Thatcher

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Fine moved that the vote by which Senate Bill No. 296 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 321. A Bill for an Act Providing for the Dissolution of Counties of This State, Providing the Procedure Therefor and Conditions Precedent, Giving Jurisdiction in Relation Thereto to the District Court, Providing for Proclamation by the Governor, Authorizing Attaching Territory of a Dissolved County to Another County for Judicial Purposes, Providing for Future Government and Tax Action, Giving Certain Powers to County Officers of the County to Which Said Territory is Attached, Providing for Liquidation of Indebtedness and Jurisdiction and Duties in Connection Therewith and Providing for Its Obligations and Duties as an Unorganized Territory and the Execution Thereof.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Nelson, Grand Fks.
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Crandall	Kroeber	Strehlow
Drew	Lemke	Stucke
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Greene, Cavalier	McDonald	Whelan
Greene, Stutsman	McGillic	Wog
Gronvold	Miklethun	Young
Handley	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fredrickson	Trovatten
Erickson	Thatcher	

So the bill passed and the title was agreed to.

Senator Watt moved that the vote by which Senate Bill No. 321 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 309. A Bill for an Act Authorizing the

Filing in of Printed Blank Instruments Used in the Transfer, Mortgaging, or Leasing of Real and Personal Property and Acquiring Statutory Liens by Others Than a Regularly Licensed Attorney, Repealing Conflicting Laws, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Mutchler
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Drew	Kolpin	Strehlow
Dubay	Kroeber	Stucke
Erickson	Lemke	Thorson
Ettestad	Lind	Trout
Fine	Lowe	Vinje
Fowler	Marshall	Whelan
Greene, Cavalier	Matthaei	Wog
Greene, Stutsman	Miklethun	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Lynn	Nelson, Grand Fks.
Coffey	McDonald	Topp
Crandall	McGillic	Trovatten
Gronvold	Nelson, Barnes	Watt
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	Fredrickson	Thatcher

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Peterson moved that the vote by which Senate Bill No. 309 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Thorson moved that the calendar be followed without further changing the position of any bill.

Which motion prevailed.

Senate Bill No. 310. A Bill for an Act Authorizing Counties, Cities, Villages, School Districts and Park Districts to Accept Devises, Bequests, Legacies and Gifts, Provided That the Title Thereto Shall Be Held in Trust; Regulating the Handling and Use of Such Property and its Income; Validat-

ing Devises, Bequests, Legacies and Gifts Heretofore Made; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Nelson, Barnes
Braaten	Jones	Nelson, Grand Fks.
Brostuen	Kolpin	Owings
Cain	Kroeber	Peterson
Coffey	Lemke	Stucke
Crandall	Lind	Thorson
Drew	Lowe	Topp
Dubay	Lynn	Trout
Erickson	Marshall	Trovatten
Ettestad	Matthaei	Vinje
Fine	McDonald	Watt
Fowler	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	Johnson	Strehlow
Fredrickson	Kamrath	Thatcher
Greene, Stutsman		

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Whelan moved that the vote by which Senate Bill No. 310 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 311. A Bill for an Act to Authorize Building and Loan Associations to Insure Members' Investments in Federal Savings and Loan Insurance Corporation and to Provide for the Conversion of Building and Loan Associations and Other Home Financing Organizations Into Federal Savings and Loan Associations, Prescribing the Procedure Therefor, Defining the Results Thereof, and Providing for the Indebtedness of Such Associations, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as

amended, 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.
Bonzer	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Crandall	Lemke	Stucke
Drew	Lind	Thorson
Dubay	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young
Handley	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Braaten	Fredrickson	Thatcher
Eastgate	Kamrath	

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Fine moved that the vote by which Senate Bill No. 311 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator McDonald moved that Senate Bill No. 312 be indefinitely postponed.

Which motion was lost.

Senate Bill No. 312. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 243 of the Session Laws of 1933, Relating to Employment of Labor of Prisoners in the State Penitentiary, for the Sale of the Products of Said Labor, the Use of Receipts from Said Sales and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Handley	Owings
Braaten	Johnson	Peterson

Messrs.	Messrs.	Messrs.
Brostuen	Kolpin	Stucke
Coffey	Kroeber	Thorson
Crandall	Lemke	Topp
Drew	Lind	Trout
Dubay	Lowe	Trovatten
Eastgate	Marshall	Vinje
Erickson	Matthaei	Watt
Ettestad	Miklethun	Whelan
Fine	Mutchler	Wog
Greene, Cavalier	Nelson, Barnes	Young
Gronvold	Nelson, Grand Fks.	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Jones	McDonald
Fowler	Lynn	McGillic

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fredrickson	Kamrath	Thatcher
Greene, Stutsman	Strehlow	

So the bill passed and the title was agreed to.

Senator Owings moved that the vote by which Senate Bill No. 312 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 315. A Bill for an Act to Amend and Re-enact Section 4688a11 of the Supplement to the Compiled Laws of North Dakota, of 1913, Relating to Abolition of Railroad Crossings, the Construction and Maintenance of Overhead and Underground Crossings and Separate Grades and Providing for the Apportionment of the Costs Thereof.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Kolpin	Owings
Coffey	Kroeber	Peterson
Crandall	Lemke	Stucke
Drew	Lind	Thorson
Dubay	Lowe	Topp
Eastgate	Lynn	Trout
Erickson	Marshall	Trovatten

Messrs.	Messrs.	Messrs.
Ettestad	Matthaei	Vinje
Fine	McDonald	Watt
Fowler	McGillic	Wog
Fredrickson	Miklethun	Young
Greene, Cavalier		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Greene, Stutsman	Kamrath	Thatcher
Jones	Strehlow	Whelan

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator McGillic moved that the vote by which Senate Bill No. 315 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fowler moved that further consideration of Senate Bill No. 317 be indefinitely postponed.

Which motion prevailed.

Senator Fowler moved that the vote by which Senate Bill No. 317 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 27, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 22. A Bill for an Act Making an Appropriation to pay for the General Maintenance, Improvements and Repairs, Lignite Testing, Clay Testing, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Also,

Senate Bill No. 225. A Bill for an Act to Provide for the Incorporation of Cooperative Grazing Associations to Aid in the Conservation, Restoration, Improvement, Development and Utilization of Forage Resources in the State of North Dakota; to Authorize Such Associations to Lease County, State, Federal, or Other Lands for Such Purposes, and to Create Grazing Districts, and to Provide for the Management and Use of Such Lands Which Will Best Conserve, Restore, Improve and Develop the Forage Value Thereof.

Also,

Senate Bill No. 296. A Bill for an Act to Provide for the

Creation of Water Conservation Districts; to Provide for Water Conservation Commissioners and Fix Their Powers and Duties; to Provide for a State Water Conservation Commissioner and Fix His Powers and Duties; to Provide for the Acquisition of Property Rights and the Assessment of Benefits Against the Property Affected, and to Provide for the Levy of Special Assessments and Prescribing the Duties of County Commissioners Relating to Water Conservation Projects, Providing for the Exemption of Federal Projects and Agencies, and Declaring an Emergency.

Also,

Senate Bill No. 321. A Bill for an Act Providing for the Dissolution of Counties of This State, Providing the Procedure Therefor and Conditions Precedent, Giving Jurisdiction in Relation Thereto to the District Court, Providing for Proclamation by the Governor, Authorizing Attaching Territory of a Dissolved County to Another County for Judicial Purposes, Providing for Future Government and Tax Action, Giving Certain Powers to County Officers of the County to Which Said Territory is Attached, Providing for Liquidation of Indebtedness and Jurisdiction and Duties in Connection Therewith and Providing for Its Obligations and Duties as an Unorganized Territory and the Execution Thereof.

Also,

Senate Bill No. 309. A Bill for an Act Authorizing the Filling in of Printed Blank Instruments Used in the Transfer, Mortgaging, or Leasing of Real and Personal Property and Acquiring Statutory Liens by Others Than a Regularly Licensed Attorney, Repealing Conflicting Laws, and Declaring an Emergency.

Also,

Senate Bill No. 310. A Bill for an Act Authorizing Counties, Cities, Villages, School Districts and Park Districts to Accept Devises, Bequests, Legacies and Gifts, Provided That the Title Thereto Shall Be Held in Trust; Regulating the Handling and Use of Such Property and its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made; and Declaring an Emergency.

Also,

Senate Bill No. 311. A Bill for an Act to Authorize Building and Loan Associations to Insure Members' Investments in Federal Savings and Loan Insurance Corporation and to Provide for the Conversion of Building and Loan Associations and Other Home Financing Organizations Into Federal Savings and Loan Associations, Prescribing the Procedure Therefor, Defining the Results Thereof, and Providing for the Indebtedness of Such Associations, and Declaring an Emergency.

Also,

Senate Bill No. 312. A Bill for an Act to Amend and Re-

enact Section 1 of Chapter 243 of the Session Laws of 1933, Relating to Employment of Labor of Prisoners in the State Penitentiary, for the Sale of the Products of Said Labor, the Use of Receipts from Said Sales and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 315. A Bill for an Act to Amend and Re-enact Section 4688a11 of the Supplement to the Compiled Laws of North Dakota, of 1913, Relating to Abolition of Railroad Crossings, the Construction and Maintenance of Overhead and Underground Crossings and Separate Grades and Providing for the Apportionment of the Costs Thereof.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Bill No. 320. A Bill for an Act Providing That Agricultural Co-operative Associations Exempted Under the Provisions of the Federal Law Known as the Capper-Volstead Act Shall Be Exempt from the Filing of State Income Tax Returns and Payment of Income Tax, and Providing that the Attorney General May Require the Filing of Such State Income Tax Returns and Payment of Tax, Upon Proof of Violation of the Capper-Volstead Act and Repeal All Acts or Parts of Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill the roll was called and there were ayes, 32; nays, 12; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kolpin	Peterson
Braaten	Kroeber	Stucke
Brostuen	Lemke	Thorson
Dubay	Lind	Topp
Erickson	Marshall	Trout
Ettestad	Matthaei	Vinje
Fine	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Handley	Nelson, Barnes	Young
Johnson	Owings	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Eastgate	Lowe
Coffey	Fowler	Lynn

Messrs. Crandall Drew	Messrs. Gronvold Jones	Messrs. Nelson, Grand Fks. Trovatten
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Absent and not voting:

Messrs. Greene, Stutsman Kamrath	Messrs. Mutchler Strehlow	Messrs. Thatcher
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So the bill passed and the title was agreed to.

Senator Fine moved that the vote by which Senate Bill No. 320 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 Sections 3, 5, 7, 8, and 11 of the Initiated Measure Entitled "An Act Providing for the Manufacture and Sale, Within the State, of Beer, as Defined by the Congress of the United States, Making Regulations Under Which the Same May Be Done, Providing a Revenue Therefrom, and Repealing Senate Bill No. 263, Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Other Acts or Parts of Acts in Conflict With the Provisions of This Act," Approved by the People of the State of North Dakota at the Special Election Held on the 22nd Day of September, 1933, Relating to the Manufacture and Sale of Beer, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 32; nays, 13; absent and not voting, 4.

Those voting in the affirmative were:

Messrs. Brostuen Cain Coffey Crandall Drew Eastgate Ettestad Fine Fowler Fredrickson Gronvold	Messrs. Kolpin Kroeber Lind Lowe Lynn Matthaei McGillic Miklethun Nelson, Barnes Nelson, Grand Fks. Owings	Messrs. Peterson Stucke Thorson Topp Trout Trovatten Vinje Watt Whelan Wog
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Those voting in the negative were:

Messrs. Bonzer Braaten Dubay Erickson Greene, Cavalier	Messrs. Handley Johnson Jones Lemke	Messrs. Marshall McDonald Mutchler Young
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Absent and not voting:

Messrs.	Messrs.	Messrs.
Greene, Stutsman	Strehlow	Thatcher
Kamrath		

So the bill was lost for lack of constitutional majority.

Senator Bonzer moved that the vote by which Senate Bill No. 195 was lost be reconsidered.

Which motion prevailed.

Senator Fowler moved that Senate Bill No. 195 be placed on second reading and final passage.

Which motion prevailed.

Senate Bill No. 195. A Bill for an Act to Amend and Re-enact Sections 3, 5, 7, 8, and 11 of the Initiated Measure Entitled "An Act Providing for the Manufacture and Sale, Within the State, of Beer, as Defined by the Congress of the United States, Making Regulations Under Which the Same May Be Done, Providing a Revenue Therefrom, and Repealing Senate Bill No. 263, Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Other Acts or Parts of Acts in Conflict With the Provisions of This Act," Approved by the People of the State of North Dakota at the Special Election Held on the 22nd Day of September, 1933, Relating to the Manufacture and Sale of Beer, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 45; nays, 3; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Erickson	Johnson	Marshall

Absent and not voting:

Messrs.

Thatcher

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Drew moved that the vote by which Senate Bill No. 195 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Stucke moved that further consideration of Senate Bill No. 173 be indefinitely postponed.

Which motion was lost.

Senate Bill No. 173. A Bill for an Act to Amend and Re-enact Section 1218 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Funds of School District, the District Treasurer's Account, Annual Settlements, Annual Report, Receipts and Expenditures, and Repealing All Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 24; nays, 22; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Kroeber	Nelson, Grand Fks.
Brostuen	Lemke	Owings
Cain	Lind	Strehlow
Drew	Lynn	Thorson
Eastgate	Marshall	Vinje
Ettestad	Matthaei	Watt
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Nelson, Barnes	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Coffey	Handley	Mutchler
Crandall	Johnson	Peterson
Dubay	Jones	Stucke
Erickson	Kamrath	Topp
Fine	Kolpin	Trout
Fowler	Lowe	Trovatten
Greene, Stutsman	McGillic	Young
Gronvold		

Absent and not voting:

Messrs.
Bonzer

Messrs.
McDonald

Messrs.
Thatcher

So the bill was lost.

Senator Stucke moved that the vote by which Senate Bill No. 173 was lost be reconsidered and the motion to reconsider be laid on the table.

Senator Erickson: "This is just another way of chiseling out the "little business" and putting it in favor of the "big business," so I am going to vote "No."

Senator Mutchler: "I think that the seven, eight or ten dollars it costs the districts to have this published is well worth it in the interests of the people. From my experience I always thought the district should take some interest in the expenditures and by having it published they know just what is being done. I vote No."

Senator McDonald moved that further consideration of Senate Bill No. 259 be indefinitely postponed.

Which motion was lost.

Senator Fine moved that Senate Bill No. 259 be amended as follows:

Page 2, line 32, change the words and figures Five Dollars (\$5.00) to read Ten Dollars (\$10.00).

Which motion was lost.

Senator Watt moved that Senate Bill No. 259 be amended as follows:

Line 31 after the word "temporary," change the word "three," to "one."

Which motion was lost.

Senate Bill No. 259. A Bill for an Act to Amend and Re-enact Section 23 of Chapter 148 of the 1931 Session Laws, Relating to Non-Resident License. Cost. How Issued. Application. Form. Game Shipments.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 7; nays, 40; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Eastgate	Johnson	Matthaei
Gronvold	Marshall	Owings
Handley		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Nelson, Barnes
Braaten	Jones	Nelson, Grand Fks.

Brostuen	Kamrath	Peterson
Cain	Kolpin	Strehlow
Coffey	Kroeber	Stucke
Crandall	Lemke	Thorson
Drew	Lind	Topp
Dubay	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	McDonald	Vinje
Fine	McGillic	Watt
Fowler	Miklethun	Whelan
Fredrickson	Mutchler	Young
Greene, Cavalier		

Absent and not voting:

Messrs.	Messrs.
Thatcher	Wog

So the bill was lost.

Senator Dubay moved that the vote by which Senate Bill No. 259 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fowler moved that the Senate recess for five minutes.

Which motion prevailed.

The Senate reconvened pursuant to recess taken, President pro tem. Marshall presiding.

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. 223. A Bill for an Act to Amend and Re-enact Section 3666 of the Compiled Laws of North Dakota for 1913, Relating to the Time, Place and Manner of Holding City Elections in Cities Under the City Council Form of Government, and Providing That Elective Officers Serve Until Their Successors Are Elected and Qualify, and Declaring an Emergency.

And find the same correctly engrossed.

Also,

Senate Bill No. 136. A Bill for an Act Amending Articles 2889b4, 2889b5 and 2889b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, and Being Part of Article 40b of Chapter 38 of the Political Code, Relating to

Food and Drugs, and Known as the North Dakota Food and Drugs Act.

Also,

Senate Bill No. 306. A Bill for an Act Authorizing the Governor to Enter Into Agreements with the President of the United States Under an Act of Congress Entitled "An Act for the Relief of Unemployed Through the Performance of Useful Public Work, and for Other Purposes," Approved March 31, 1933, and Other Acts Supplemental Thereto; Authorizing the Governor to Enter Into Agreements With Private Land Owners, Declaring the Rights and Duties of the Conservation Commission and of Such Land Owner Thereunder and Providing Procedure for Giving Notice to Mortgagees and Lien Holders Against Lands Affected, and Declaring an Emergency.

Also,

Senate Bill No. 307. A Bill for an Act Prohibiting Packers from Purchasing or Acquiring Livestock for the Purpose of Feeding and Fattening the Same, and Regulating the Business of Packers Within the State of North Dakota.

Also,

Senate Bill No. 290. A Bill for an Act Imposing a Tax Upon Dogs; Providing for the Assessment, Levy and Collection Thereof; Providing for the Issuance of License Tags for All Dogs Upon Which Said Tax is Assessed; Providing for the Determination and Payment of Losses from Tax Collected Thereunder to the Owners of Livestock or Poultry Damaged by Dogs; Providing for the Killing of Dogs in Certain Cases; Providing for Liability Insurance on Dogs; Providing for Hearing and Appeal; Imposing Powers and Duties on Certain County Officers and Employees, and Providing Penalties for the Violation of This Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

And find the same correctly re-engrossed.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF SENATE BILLS

Senate Bill No. 293. A Bill for an Act Prohibiting the Sale, Removal, Material Injury or Destruction of Any Building or Other Improvements on Lands Upon Which There is an Unsatisfied Real Estate Mortgage of Record Held by the Government of the United States, or Any of its Agencies or Instrumentalities, or an Outstanding Sheriff's Certificate of Sale Under Foreclosure of Any Such Mortgage, or While Any Such Foreclosure Sale is Pending, Without the Written Consent of the Holder of Such Mortgage or Certificate of Sale, and Providing for a Penalty for Any Violation Thereof.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 20; nays, 25; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Strehlow
Coffey	Low	Topp
Crandall	Marshall	Trovatten
Drew	McGillic	Vinje
Dubay	Mutchler	Whelan
Eastgate	Nelson, Barnes	Young
Fowler	Nelson, Grand Fks.	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Miklethun
Braaten	Kamrath	Owings
Brostuen	Kolpin	Peterson
Erickson	Kroeber	Stucke
Ettestad	Lind	Thorson
Fine	Lynn	Trout
Greene, Cavalier	Matthaei	Watt
Greene, Stutsman	McDonald	Wog
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fredrickson	Lemke	Thatcher
Jones		

So the bill was declared lost.

Senator Erickson moved that the vote by which Senate Bill No. 293 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Bonzer moved that further consideration of Senate Bill No. 248 be indefinitely postponed.

Which motion prevailed.

Senator Bonzer moved that the vote by which Senate Bill No. 248 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fine moved that no further amendments be offered in order to expedite the work before the Senate.

Which motion prevailed.

Senator Bonzer moved that further consideration of Senate Bill No. 314 be indefinitely postponed.

Which motion prevailed.

Senator Bonzer moved that the vote by which Senate Bill No. 314 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Gronvold moved that further consideration of Senate Bill No. 267 be indefinitely postponed.

Senator Fine moved as a substitute motion that Senate Bill No. 267 be placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 267. A Bill for an Act to Amend and Re-enact Sections 5535 and 5536 of the Compiled Laws of the State of North Dakota for the Year 1913.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 18; nays, 27; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Handley	McDonald
Brostuen	Kamrath	Owings
Fine	Kolpin	Stucke
Fredrickson	Lind	Thorson
Greene, Cavalier	Marshall	Trout
Greene, Stutsman	Matthaei	Vinje

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Fowler	Nelson, Grand Fks.
Cain	Gronvold	Peterson
Coffey	Johnson	Strehlow
Crandall	Kroeber	Topp
Drew	Lowe	Trovatten
Dubay	Lynn	Watt
Eastgate	McGillic	Whelan
Erickson	Mutchler	Wog
Ettestad	Nelson, Barnes	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Jones	Miklethun	Thatcher
Lemke		

So the bill was declared lost.

Senator Gronvold moved that the vote by which Senate Bill No. 267 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 254. A Bill for an Act Re-enacting Sections 917, 918 and 919 of the Compiled Laws of North Dakota for 1913, and to Provide for Party Registration of Electors Desiring to Vote at Any Primary Election in This State, and Providing for Registration and Enrollment Books, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

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.
Bonzer	Kamrath	Mutchler
Braaten	Kolpin	Peterson
Brostuen	Kroeber	Stucke
Cain	Lemke	Thorson
Erickson	Lynn	Topp
Fowler	Marshall	Vinje
Greene, Cavalier	McDonald	Whelan
Gronvold		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Coffey	Handley	Nelson, Grand Fks.
Crandall	Johnson	Owings
Drew	Jones	Strehlow
Dubay	Lind	Trout
Eastgate	Lowe	Trovatten
Ettestad	Matthaei	Watt
Fine	McGillic	Wog
Fredrickson	Miklethun	Young
Greene, Stutsman	Nelson, Barnes	

Absent and not voting:

Messrs.
Thatcher

So the bill was declared lost.

Senator Watt moved that the vote by which Senate Bill No. 254 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 29. A Bill for an Act Providing for the Nomination of Candidates for the Offices of Presidential

Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees; and to Repeal All Acts or Parts of Acts in Conflict Herewith, Including Sections 910-916, Inclusive, Compiled Laws 1913 and Chapter 137 of the Session Laws of the Year 1927 and Chapter 123 of the Session Laws of the Year 1929.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 24; nays, 24; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Jones	Peterson
Cain	Kamrath	Stucke
Coffey	Kolpin	Thorson
Crandall	Kroeber	Topp
Erickson	Lynn	Vinje
Fowler	Marshall	Watt
Greene, Cavalier	Mutchler	Whelan
Gronvold		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Johnson	Nelson, Barnes
Drew	Lemke	Owings
Dubay	Lind	Strehlow
Eastgate	Lowe	Trout
Ettestad	Matthaei	Trovatten
Fine	McDonald	Wog
Fredrickson	McGillic	Young
Greene, Stutsman	Miklethun	

Absent and not voting:

Messrs.
Thatcher

So the bill was declared lost.

Senator Johnson moved that the vote by which Senate Bill No. 29 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 27, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 320. A Bill for an Act Providing That Agricultural Co-operative Associations Exempted Under the Provisions of the Federal Law Known as the Capper-Volstead Act Shall Be Exempt from the Filing of State Income Tax Returns and Payment of Income Tax, and Providing that the Attorney General May Require the Filing of Such State Income Tax Returns and Payment of Tax, Upon Proof of Violation of the Capper-Volstead Act and Repeal All Acts or Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 195. A Bill for an Act to Amend and Re-enact Sections 3, 5, 7, 8, and 11 of the Initiated Measure Entitled "An Act Providing for the Manufacture and Sale, Within the State, of Beer, as Defined by the Congress of the United States, Making Regulations Under Which the Same May Be Done, Providing a Revenue Therefrom, and Repealing Senate Bill No. 263, Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Other Acts or Parts of Acts in Conflict With the Provisions of This Act," Approved by the People of the State of North Dakota at the Special Election Held on the 22nd Day of September, 1933, Relating to the Manufacture and Sale of Beer, and Declaring an Emergency.

Also,

Senate Bill No. 290. A Bill for an Act Imposing a Tax Upon Dogs; Providing for the Assessment, Levy and Collection Thereof; Providing for the Issuance of License Tags for All Dogs Upon Which Said Tax is Assessed; Providing for the Determination and Payment of Losses from Tax Collected Thereunder to the Owners of Livestock or Poultry Damaged by Dogs; Providing for the Killing of Dogs in Certain Cases; Providing for Liability Insurance on Dogs; Providing for Hearing and Appeal; Imposing Powers and Duties on Certain County Officers and Employees, and Providing Penalties for the Violation of This Act, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 223. A Bill for an Act to Amend and Re-enact Section 3666 of the Compiled Laws of North Dakota for 1913, Relating to the Time, Place and Manner of Holding City Elections in Cities Under the City Council Form of Government, and Providing That Elective Officers Serve Until Their Successors Are Elected and Qualify, and Declaring an Emergency.

Also,

Senate Bill No. 136. A Bill for an Act Amending Sections 2889b4, 2889b5 and 2889b6 Supplement to the Compiled Laws of 1913, Relating to Food and Drugs, and Known as the North Dakota Food and Drugs Act.

Also,

Senate Bill No. 306. A Bill for an Act Authorizing the Governor to Enter Into Agreements with the President of the United States Under an Act of Congress Entitled "An Act for the Relief of Unemployed Through the Performance of Useful Public Work, and for Other Purposes," Approved March 31, 1933, and Other Acts Supplemental Thereto; Authorizing the Governor to Enter Into Agreements With Private Land Owners, Declaring the Rights and Duties of the Conservation Commission and of Such Land Owner Thereunder and Providing Procedure for Giving Notice to Mortgagees and Lien Holders Against Lands Affected, and Declaring an Emergency.

Also,

Senate Bill No. 307. A Bill for an Act Prohibiting Packers from Purchasing or Acquiring Livestock for the Purpose of Feeding and Fattening the Same, and Regulating the Business of Packers Within the State of North Dakota.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 27, 1935.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 258. A Bill for an Act Providing a Uniform Law for the Administration and Supervision of Trust Estates in the District Court, and Providing the Procedure and Rules Governing and Relating to Same; and Repealing All of Chapter 122 of the Session Laws of North Dakota for the Year 1931, and All Other Acts or Parts of Acts in Conflict Herewith, and Making the Act an Emergency Measure.

Also,

House Bill No. 181. A Bill for an Act to Amend and Re-enact Chapter 254 of the Session Laws of 1933 Relating to the Old Age Pensions, Creating an Old Age Pension Fund, Providing for the Levy of Any Annual Tax Therefor, Prescribing Persons to Be Pensioned Thereunder, and Penalties for the Violation Thereof.

Also,

House Bill No. 363. A Bill for an Act Directing the Board of Administration of the State of North Dakota to Sell, at Public Auction or Private Sale, all Automobiles and Automobile Equipment Purchased by the Beer Commissioner of the State of North Dakota; Authorizing Said Board to De-

mand, Receive and Take Possession of all Such Property; Directing Attorney General to Institute Suits or Proceedings at Request of Board of Administration; Permitting Deduction of Costs and Expenses Connected with Said Sale; Providing for Disposition of Balance of the Receipts and Requiring Report to Governor; Repealing Acts in Conflict and Declaring an Emergency.

Also,

House Bill No. 362. A Bill for an Act to Amend Section 25, Chapter 97 of the Session Laws of North Dakota for 1933, Relating to Relief for the Poor, Prescribing the Establishment of a County Welfare Board by the Board of County Commissioners.

Also,

House Bill No. 227. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 235, Session Laws of 1929, as Amended by Chapter 252, Session Laws of 1931, and Section 2 of Chapter 297, Session Laws of 1931, Relating to the Tax Levy Limitations of School Districts; Repealing Section 7 of Chapter 235, Session Laws of 1921, and Section 2 of Chapter 297, Session Laws of 1931, and All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 255. A Bill for an Act to Re-establish the State Equalization Fund for the Common Schools of the State; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of That Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senate Bill No. 247. A Bill for an Act Providing for the Disposition of Liquor and for the Applying of the Proceeds Thereof to the General Fund of the County Where Such Liquor was Seized or Is Held.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Brostuen	Greene, Stutsman	Nelson, Barnes
Cain	Gronvold	Nelson, Grand Fks.
Coffey	Johnson	Owings
Crandall	Jones	Peterson
Drew	Kroeber	Stucke
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Erickson	Lynn	Trovatten
Ettestad	Matthaei	Vinje
Fine	McDonald	Whelan
Fowler	McGillic	Wog
Fredrickson	Miklethun	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Kolpin	Strehlow
Greene, Cavalier	Marshall	Thorson
Handley	Mutchler	Watt
Kamrath		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lowe	Thatcher

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Peterson 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.

Senator Bonzer moved that further consideration of Senate Bill No. 238 be indefinitely postponed.

Which motion prevailed and Senate Bill No. 238 was indefinitely postponed.

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Section 1162 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for 1933, Relating to Annual, Regular and Special Meetings of Boards of Common School Districts and Providing for Notice of Same and Relating to Attendance, Per Diem and Mileage of School Officers Attending County Meetings, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 37; nays, 7; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Mutchler
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Thorson
Drew	Lind	Topp
Dubay	Lynn	Trout
Eastgate	Marshall	Trovatten
Ettestad	Matthaei	Vinje
Fine	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Stutsman	Miklethun	Young
Gronvold		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Kroeber	Nelson, Barnes
Erickson	Lemke	Wog
Greene, Cavalier		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fowler	Owings	Thatcher
Low	Stucke	

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Ettestad moved that the vote by which Senate Bill No. 194 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 328. A Bill for an Act Authorizing the State Forester to Accept, Acquire or Lease Land for State Forests and State Parks; Providing for the Management and Development Thereof and the Disposition of Income From Such Lands.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Mutchler
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Nelson, Grand Fks.
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson

Messrs.	Messrs.	Messrs.
Crandall	Kroeber	Stucke
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Stutsman	McGillic	Wog
Gronvold	Miklethun	Young

Those voting in the negative were:

Messrs.	Messrs.
Erickson	Greene, Cavalier

Absent and not voting:

Messrs.	Messrs.
Strehlow	Thatcher

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Trout moved that the vote by which Senate Bill No. 328 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator McDonald moved that the vote by which Senate Bill No. 29 was lost, be reconsidered.

Which motion prevailed.

Senator McDonald moved that Senate Bill No. 29 be placed at the head of the calendar.

Which motion prevailed.

Senate Bill No. 29. A Bill for an Act Providing for the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees; and to Repeal All Acts or Parts of Acts in Conflict Herewith, Including Sections 910-916, Inclusive, Compiled Laws 1913 and Chapter 137 of the Session Laws of the Year 1927 and Chapter 123 of the Session Laws of the Year 1929.

Was read the second time.

ROLL CALL

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.
Bonzer	Jones	Peterson
Braaten	Kamrath	Strehlow
Cain	Kolpin	Thorson
Crandall	Kroeber	Topp
Eastgate	Marshall	Vinje
Erickson	McDonald	Watt
Fowler	Mutchler	Whelan
Greene, Cavalier	Nelson, Grand Fks.	Young
Gronvold		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Johnson	Miklethun
Coffey	Lemke	Nelson, Barnes
Drew	Lind	Owings
Dubay	Lowe	Stucke
Ettestad	Lynn	Trout
Fine	Matthaei	Trovatten
Fredrickson	McGillic	Wog
Greene, Stutsman		

Absent and not voting:

Messrs.	Messrs.
Handley	Thatcher

So the bill passed and the title was agreed to.

Senator Bonzer moved that the vote by which Senate Bill No. 29 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Whelan asked unanimous consent to return to the Fifth Order of Business.

Which request was granted.

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. 28. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of the State of North Dakota, as Amended by Chapter 274, Session Laws of 1927 and as amended by Chapter 140 of the Session Laws of 1913, Defining Usury.

Also,

Senate Bill No. 235. A Bill for an Act to Amend and

Re-enact Sections 994, 997, 998 and 1001 of the 1913 Compiled Laws of the State of North Dakota, as Amended, Relating to Absent Voter Ballots; Repealing All Acts in Conflict Herewith.

And find the same correctly re-engrossed.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 27, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 247. A Bill for an Act Providing for the Disposition of Liquor and for the Applying of the Proceeds Thereof to the General Fund of the County Where Such Liquor was Seized or Is Held.

Also,

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Section 1162 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for 1933, Relating to Annual, Regular and Special Meetings of Boards of Common School Districts and Providing for Notice of Same and Relating to Attendance, Per Diem and Mileage of School Officers Attending County Meetings, and Declaring an Emergency.

Also,

Senate Bill No. 328. A Bill for an Act Authorizing the State Forester to Accept, Acquire or Lease Land for State Forests and State Parks; Providing for the Management and Development Thereof and the Disposition of Income From Such Lands.

Also,

Senate Bill No. 28. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of the State of North Dakota, as Amended by Chapter 274, Session Laws of 1927 and as amended by Chapter 140 of the Session Laws of 1933, Defining Usury.

Also,

Senate Bill No. 235. A Bill for an Act to Amend and Re-enact Sections 994, 997, 998 and 1001 of the 1913 Compiled Laws of the State of North Dakota, as Amended, Relating to Absent Voter Ballots; Repealing All Acts in Conflict Herewith.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Whelan asked unanimous consent to move Senate Bill No. 327 to the head of the calendar.

Which request was granted.

Senate Bill No. 327. A Bill for an Act Providing for the Disposition of One Million Dollars from the State Hail Insurance Permanent Surplus Fund; Declaring That the Said Permanent Surplus Fund Exceeds the Amount Needed to Carry Out the Purpose for Which Said Fund was Created by the Sum of One Million Dollars; Providing the Manner and Means of Disposing and Disbursing Said Surplus, and Declaring an Emergency in Connection Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 39; nays, 8; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Cavalier	Miklethun
Braaten	Gronvold	Mutchler
Brostuen	Johnson	Nelson, Barnes
Cain	Kamrath	Nelson, Grand Fks.
Coffey	Kolpin	Owings
Crandall	Kroeber	Peterson
Dubay	Lemke	Stucke
Eastgate	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Vinje
Fine	Marshall	Whelan
Fowler	Matthaei	Wog
Fredrickson	McDonald	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Drew	Jones	Trovatten
Greene, Stutsman	Strehlow	Watt
Handley	Thorson	

Absent and not voting:

Messrs.	Messrs.
McGillic	Thatcher

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Owings moved that the vote by which Senate Bill No. 327 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Cain: "Mr. President, I am not in favor of this Bill, but so there will be two Bills before the Legislature, I vote aye."

Senator Whelan asked unanimous consent to have Senate Bill No. 322 placed at the head of the calendar.

Which request was granted.

Senate Bill No. 322. A Bill for an Act to Impose a Tax of One Cent Upon the Sale of All Gasoline; Providing for the Collection Thereof and for the Disposition of the Revenue Therefrom; Fixing Penalties for Violation, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Greene, Cavalier	Nelson, Barnes
Brostuen	Gronvold	Nelson, Grand Fks.
Cain	Handley	Owings
Crandall	Jones	Strehlow
Drew	Kolpin	Trout
Dubay	Kroeber	Trovatten
Eastgate	Lynn	Vinje
Erickson	Marshall	Whelan
Ettestad	McDonald	Wog
Fine	McGillic	Young
Fowler	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Lemke	Peterson
Coffey	Lind	Stucke
Fredrickson	Lowe	Thorson
Greene, Stutsman	Matthaei	Topp
Johnson	Miklethun	Watt
Kamrath		

Absent and not voting:

Messrs.
Thatcher

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Braaten moved that the vote by which Senate Bill No. 322 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Whelan asked unanimous consent to have Senate Bill No. 231 placed at the head of the calendar.

Which request was granted.

Senate Bill No. 231. A Bill for an Act Amending and Re-enacting Sections 1495, and 1526 of the Compiled Laws of the State of North Dakota for the Year 1913, and Amending and Re-enacting Sections 1518, 1521 and 1523, of the Compiled Laws of the State of North Dakota for the Year 1919 as Amended by Chapter 161 of the Session Laws of the State of North Dakota for the Year 1919, Relating to and Modifying the Provisions of the Teachers' Insurance and Retirement Fund, and Repealing Section 1522 of the Compiled Laws of the State of North Dakota for the Year 1913.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Jones	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Crandall	Lemke	Thorson
Drew	Lind	Topp
Dubay	Lowe	Trout
Eastgate	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Erickson	Greene, Cavalier	Johnson

Absent and not voting:

Messrs.	Messrs.
Stucke	Thatcher

So the bill passed and the title was agreed to.

Senator Thorson 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.

Senator Cain moved that the vote by which Senate Bill No. 263 was lost be reconsidered.

Which motion prevailed.

Senator Cain moved that Senate Bill No. 263 be placed at the head of the calendar.

Which motion prevailed.

Senate Bill No. 263. A Bill for an Act to Amend and Re-enact Sections 2350, 2412 and 2417 of the Compiled Laws of North Dakota of the Year 1913 Relating to the Military Code of the State of North Dakota; Defining Military Forces; Providing a Board of Armory Supervisors and Defining the Powers Thereof; Fixing the Pay and Allowances of Enlisted Men on Active Duty and Further Providing for the Appointment of an Assistant Adjutant General, His Powers and Duties; the Appointment of a Disbursing Officer, His Powers and Duties; Requiring Officers to Furnish Bonds; Providing Punishment for False Certificates or Returns and for the Misuse of Funds or Property; Providing that State and Municipal Officers and Employees Shall Not Lose Pay While on Duty; Giving Troops Power to Act Outside of Occupied Territory; Providing for the Service of Process of Military Courts; Providing that the Invalidation of a Portion of This Act Shall Not Invalidate the Remainder Thereof and Repealing Sections 2392, 2421, 2432b and 2434 of the Compiled Laws of North Dakota of the Year 1913 and Sections 2423a and 2442a of the 1925 Supplement to the Compiled Laws of North Dakota of the Year 1913 and All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Greene, Cavalier	Miklethun
Braaten	Gronvold	Mutchler
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Peterson
Coffey	Kroeber	Strehlow
Crandall	Lemke	Stucke
Drew	Lind	Thorson
Dubay	Lowe	Topp
Eastgate	Lynn	Trovatten
Erickson	Marshall	Vinje
Ettestad	Matthaei	Watt

Messrs.	Messrs.	Messrs.
Fine	McDonald	Whelan
Fowler	McGillic	Young
Fredrickson		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Greene, Stutsman	Kolpin	Owings
Handley	Nelson, Barnes	Trout
Kamrath		

Absent and not voting:

Messrs.	Messrs.
Thatcher	Wog

So the bill passed and the title was agreed to.

Senator Erickson moved that the vote by which Senate Bill No. 263 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Bonzer asked unanimous consent to place Senate Bill Nos. 329 and 192 at the head of the calendar.

Which motion prevailed.

Senate Bill No. 329. A Bill for an Act to Provide Revenue to the State by Imposing a Tax Upon the Sale of Electricity and Electric Power Consumed Within This State; Providing for the Manner of Collecting the Tax, and Penalty for Violation of This Act.

Was read the second time.

ROLL CALL

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, 2; excused, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	McDonald	Watt
Fowler	McGillic	Whelan
Fredrickson	Miklethun	Wog
Greene, Cavalier	Mutchler	Young
Greene, Stutsman		

Absent and not voting:

Messrs.	Messrs.
Matthaei	Thatcher

Excused:

Messrs.
Handley

So the bill passed and the title was agreed to.

Senator Thorson moved that the vote by which Senate Bill No. 329 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Handley asked to be excused from voting on Senate Bill No. 329.

Senator Erickson moved that Senator Handley be excused.

Which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 27, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 29. A Bill for an Act Providing for the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees; and to Repeal All Acts or Parts of Acts in Conflict Herewith, Including Sections 910-916, Inclusive, Compiled Laws 1913 and Chapter 137 of the Session Laws of the Year 1927 and Chapter 123 of the Session Laws of the Year 1929.

Also,

Senate Bill No. 327. A Bill for an Act Providing for the Disposition of One Million Dollars from the State Hail Insurance Permanent Surplus Fund; Declaring That the Said Permanent Surplus Fund Exceeds the Amount Needed to Carry Out the Purpose for Which Said Fund was Created by the Sum of One Million Dollars; Providing the Manner and Means of Disposing and Disbursing Said Surplus, and Declaring an Emergency in Connection Therewith.

Also,

Senate Bill No. 322. A Bill for an Act to Impose a Tax of One Cent Upon the Sale of All Gasoline; Providing for the Collection Thereof and for the Disposition of the Revenue Therefrom; Fixing Penalties for Violation, and Declaring an Emergency.

Also,

Senate Bill No. 231. A Bill for an Act Amending and Re-enacting Sections 1495, and 1526 of the Compiled Laws of the State of North Dakota for the Year 1913, and Amending and Re-enacting Sections 1518, 1521 and 1523, of the Compiled Laws of the State of North Dakota for the Year 1919 as Amended by Chapter 161 of the Session Laws of the State of North Dakota for the Year 1919, Relating to and Modifying the Provisions of the Teachers' Insurance and Retirement Fund, and Repealing Section 1522 of the Compiled Laws of the State of North Dakota for the Year 1913.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 27, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 263. A Bill for an Act to Amend and Re-enact Sections 2350, 2412 and 2417 of the Compiled Laws of North Dakota of the Year 1913 Relating to the Military Code of the State of North Dakota; Defining Military Forces; Providing a Board of Armory Supervisors and Defining the Powers Thereof; Fixing the Pay and Allowances of Enlisted Men on Active Duty and Further Providing for the Appointment of an Assistant Adjutant General, His Powers and Duties; the Appointment of a Disbursing Officer, His Powers and Duties; Requiring Officers to Furnish Bonds; Providing Punishment for False Certificates or Returns and for the Misuse of Funds or Property; Providing that State and Municipal Officers and Employees Shall Not Lose Pay While on Duty; Giving Troops Power to Act Outside of Occupied Territory; Providing for the Service of Process of Military Courts; Providing that the Invalidation of a Portion of This Act Shall Not Invalidate the Remainder Thereof and Repealing Sections 2392, 2421, 2432b and 2434 of the Compiled Laws of North Dakota of the Year 1913 and Sections 2423a and 2442a of the 1925 Supplement to the Compiled Laws of North Dakota of the Year 1913 and All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 329. A Bill for an Act to Provide Revenue to the State by Imposing a Tax Upon the Sale of Electricity and Electric Power Consumed Within This State; Providing for the Manner of Collecting the Tax, and Penalty for Violation of This Act.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Drew asked unanimous consent to have Senate Bill No. 326 placed second from the head of the calendar.

Which request was granted.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 27, 1935.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 273. A Bill for an Act to Establish a County Motor Vehicle Department Under the Supervision of the State Highway Commissioner. Designating County Auditor as Assistant Registrar of the State Motor Vehicle Registration Department. Providing for a Uniform System of Accounting and Business Procedure for Such County Motor Vehicle Departments. Giving State Highway Commissioner, Acting Directly or Through State Motor Vehicle Department, Authority to Make Necessary Rules and Regulations of the Administration of the Affairs in the County Motor Vehicle Departments. Providing How County Auditors Shall Qualify as Such Assistant Motor Vehicle Registrars, Bond and Compensation. Defining Certain Duties Imposed Upon the State Motor Vehicle Department, its Registrar, the Assistant Registrar in Each County in the State. Disposition of the Fees and Moneys Collected from the Sale of Motor Vehicle Licenses and Tags at the County Seats of the Several Counties of the State of North Dakota and Providing That All Acts or Parts of Acts in Conflict with the Provisions of This Act are Superceded by the Provisions Hereof.

Which the House has passed and your favorable consideration is respectfully requested.

Very respectfully,

WALTER S. MARTIN
Chief Clerk.

Senator McDonald moved that further consideration of Senate Bill No. 192 be indefinitely postponed.

Senator Stucke demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the motion to indefinitely postpone Senate Bill No. 192, the roll was called and there were ayes, 11; nays, 37; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	Topp
Drew	Lynn	Wog
Fredrickson	McDonald	Young
Gronvold	Nelson, Grand Fks.	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Crandall	Kroeber	Strehlow
Dubay	Lemke	Stucke
Eastgate	Lind	Thorson
Erickson	Lowe	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McGillic	Watt
Greene, Cavalier	Miklethun	Whelan
Greene, Stutsman		

Absent and not voting:

Messrs.
Thatcher

So the motion was lost.

Senator Stucke moved that Senate Bill No. 192 be placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 192. A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; Providing for the Printing of All Matters Coming Under Class 5 of State Printing; Providing for Each State Department of Office to Designate Newspaper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost Thereof and Repeal all Acts and Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 46; nays, 6; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Owings
Brostuen	Kamrath	Peterson

Messrs.	Messrs.	Messrs.
Cain	Kolpin	Strehlow
Crandall	Kroeber	Thorson
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Erickson	Lowe	Trovatten
Ettestad	Lynn	Vinje
Fine	Marshall	Watt
Fowler	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Coffey	Fredrickson	McDonald
Drew	Jones	Nelson, Grand.Fks.

Absent and not voting:

Messrs.	Messrs.
Matthaei	Thatcher

Passed:

Messrs.
Stucke

So the bill passed and the title was agreed to.

Senator Stucke moved that the vote by which Senate Bill No. 192 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 326. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 172, of the Session Laws of 1929, Which Authorizes and Empowers Cities, Towns or Villages to Purchase, Erect, Operate and Maintain or Lease Electric Light and Power Plant, Electric Distribution System and Transmission Line, Telephone Plant or Parts of Systems or Lines or Waterworks, Mains, Distribution System and/or Equipment or Appliances Connected Therewith as Provided in the Act, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings

Messrs.	Messrs.	Messrs.
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young

Absent and not voting:

Messrs.
Thatcher

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Drew moved that the vote by which Senate Bill No. 326 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Erickson moved that further consideration of Senate Bill No. 325 be indefinitely postponed.

Which motion prevailed.

Senator Erickson moved that the vote by which Senate Bill No. 325 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 201. A Bill for an Act to Amend and Re-enact Sections 1168, 1255 and 1306 of the Compiled Laws of the State of North Dakota, Relating to Keeping of Accounts and the Manner of Disbursement of Funds of Common, Special and Independent School Districts, and Providing for the Form of Warrants to Be Used by Said School Districts as Amended by Chapter 228 of the 1933 Session Laws of North Dakota and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand.Fks.

Messrs.	Messrs.	Messrs.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Those voting in the negative were:

Messrs.

Dubay

Absent and not voting:

Messrs.

Thatcher

So the bill passed and the title was agreed to.

Senator Peterson moved that the vote by which Senate Bill No. 201 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Eastgate moved that the Senate adjourn.

Senator Bonzer moved as a substitute motion that we finish the business before the Senate.

Which motion prevailed.

Senator Bonzer moved that Senate Concurrent Resolution "L" be placed at the head of the calendar.

Which motion prevailed.

SENATE CONCURRENT RESOLUTION "L"

Was read the second time.

ROLL CALL

The question being on the final adoption of the Resolution, 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.
Bonzer	Jones	McDonald
Brostuen	Kamrath	Mutchler
Drew	Kolpin	Owings
Dubay	Kroeber	Peterson

Messrs.	Messrs.	Messrs.
Erickson	Lemke	Strehlow
Fine	Lind	Stucke
Greene, Cavalier	Lynn	Thorson
Greene, Stutsman	Marshall	Wog
Handley	Matthaei	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Gronvold	Topp
Cain	Johnson	Trout
Coffey	Lowe	Trovatten
Crandall	McGillic	Vinje
Eastgate	Miklethun	Watt
Ettestad	Nelson, Barnes	Whelan
Fowler	Nelson, Grand.Fks.	Young
Fredrickson		

Absent and not voting:

Messrs.
Thatcher

So the resolution was declared adopted.

Senator Bonzer moved that the vote by which Senate Concurrent Resolution "L" was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Brostuen: "In view of the experiences we have had here in the last 48 hours, I vote aye."

Senator Cain: "I am going to vote 'No' on this Bill for the following reasons: Time and experience had demonstrated that under our present system one house serves as a check on the other. It tends to more careful deliberation and it prevents hasty and ill considered legislation.

It permits one house to remedy the defects in legislation passed by the other house as has so often been demonstrated during the past sessions of this body.

It is more difficult to corrupt or unduly influence two houses than a one house body. It affords a means of granting representation to different classes and interests of the State and there is less inclination to accumulate government power into its own hands and it prevents the chief executive from becoming a dictator in matters of legislation.

Senator Coffey: "Since this is being tried out in some other states, I do not think we should rush into this until we see how it works out, and for that reason I vote 'no'."

Senator Drew: "The State of Vermont tried out this unicameral form of government for forty-five years and gave it up. Who wants to try anything after Vermont has tried it forty-five years and given it up? I vote 'aye'."

Senator Eastgate: "It is over a half hour past two o'clock

right now and we are breaking the rules we adopted at the beginning of this session and therefore I vote 'no'."

Senator Lind: I do not very often explain my vote, but I am for this Resolution for the simple reason I think it would work a whole lot better than we have been doing here for the past few days."

Senator McGillic: "I agree with Senator Drew. Vermont has tried it out and Nebraska is trying it. I am willing to see these two branches reduced to where they are workable, but I don't think these measures should be rushed through the very last minute without due consideration. I vote 'no'."

Senator Miklethun: "I am in favor of the principle of this Resolution but against the bill the way it is drawn, and for that reason I vote 'no'."

Senator Peterson: "After the experience in a 'mad-house' such as we have had here in the last couple of days, I think any state would be glad of a change. I vote 'aye'."

Senator Strehlow: "It seems to be the thing to do to explain your vote. I am voting 'aye' because I think it will give the people a chance to vote on the measure."

Senator Stucke: "North Dakota is noted for its innovations politically and otherwise, and I do not want to see that we lose that popularity, good or bad, so I will support this measure."

Senator Wog: "I am going to vote 'aye' for the simple reason it will give the people an opportunity to decide whether they want a one or two house legislature."

Senator Johnson: "I believe in the principle of this Resolution, but it is so ridiculously drawn that I have to vote 'no' and after the past twenty-four hours I do not know but what we do need another house to check with the things we do."

Senate Bill No. 324. A Bill for an Act Authorizing and Empowering the Industrial Commission of the State of North Dakota to Take Such Action as May Be Proper and Necessary to Cooperate with the Emergency Conservation Work Projects of the Federal Government on State, County and Municipally owned Lands, Authorizing the Industrial Commission to Enter Into Such Contracts and Agreements as Are Permissible Under the State Constitution with Municipalities and Private Individuals for the Carrying on of Such Emergency Conservation Work Projects, Making it the Duty of Such Commission to Make a Report of its Proceedings Under This Act to the Next Legislative Assembly, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as

amended, 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.
Bonzer	Handley	Nelson, Grand.Fks.
Braaten	Kamrath	Owings
Brostuen	Kolpin	Peterson
Cain	Kroeber	Strehlow
Coffey	Lemke	Stucke
Crandall	Lind	Thorson
Drew	Lowe	Topp
Dubay	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Eastgate	Johnson	Jones
Erickson		

Absent and not voting:

Messrs.
Thatcher

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Bonzer moved that the vote by which Senate Bill No. 324 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Bill No. 162. A Bill for an Act to Provide an Additional Method for Issuance of Professional Teachers Certificates.

Was read the second time.

ROLL CALL

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:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	McDonald
Braaten	Kamrath	McGillic
Brostuen	Kolpin	Miklethun
Erickson	Kroeber	Thorson

Messrs.	Messrs.	Messrs.
Fowler	Lemke	Whelan
Greene, Cavalier	Marshall	Wog
Johnson		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Peterson
Coffey	Handley	Strehlow
Crandall	Lind	Stucke
Drew	Lowe	Topp
Dubay	Lynn	Trout
Eastgate	Matthaei	Trovatten
Ettestad	Mutchler	Vinje
Fine	Nelson, Barnes	Watt
Fredrickson	Nelson, Grand.Fks.	Young
Greene, Stutsman	Owings	

Absent and not voting:

Messrs.
Thatcher

So the bill was lost.

Senator Johnson moved that the vote by which Senate Bill No. 162 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 27, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 192. A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; Providing for the Printing of All Matters Coming Under Class 5 of State Printing; Providing for Each State Department or Office to Designate Newspaper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost Thereof and Repeal all Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 326. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 172, of the Session Laws of 1929, Which Authorizes and Empowers Cities, Towns or Villages to Purchase, Erect, Operate and Maintain or Lease Electric Light and Power Plant, Electric Distribution System and Transmission Line, Telephone Plant or Parts of Systems or Lines or Waterworks, Mains, Distribution Sys-

tem and/or Equipment or Appliances Connected Therewith as Provided in the Act, and Declaring an Emergency.

Also,

Senate Bill No. 201. A Bill for an Act to Amend and Re-enact Sections 1168, 1255 and 1306 of the Compiled Laws of the State of North Dakota, Relating to Keeping of Accounts and the Manner of Disbursement of Funds of Common, Special and Independent School Districts, and Providing for the Form of Warrants to Be Used by Said School Districts as Amended by Chapter 228 of the 1933 Session Laws of North Dakota and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the Senate has passed and your favorable consideration is respectfully requested.

Also,

SENATE CONCURRENT RESOLUTION L

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
February 27, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 324. A Bill for an Act Authorizing and Empowering the Industrial Commission of the State of North Dakota to Take Such Action as May Be Proper and Necessary to Cooperate with the Emergency Conservation Work Projects of the Federal Government on State, County and Municipally owned Lands, Authorizing the Industrial Commission to Enter Into Such Contracts and Agreements as Are Permissible Under the State Constitution with Municipalities and Private Individuals for the Carrying on of Such Emergency Conservation Work Projects, Making it the Duty of Such Commission to Make a Report of its Proceedings Under This Act to the Next Legislative Assembly, and Declaring an Emergency.

Which the Senate has passed and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Matthaei asked unanimous consent to withdraw Senate Concurrent Resolution A-a.

Which request was granted.

SENATE CONCURRENT RESOLUTION A-d

Was read the second time.

ROLL CALL

The question being on the adoption of the Resolution, 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.
Bonzer	Johnson	Peterson
Brostuen	Jones	Strehlow
Cain	Kroeber	Stucke
Coffey	Lemke	Thorson
Crandall	Lind	Topp
Drew	Lynn	Trout
Dubay	Marshall	Trovatten
Erickson	McDonald	Vinje
Ettestad	McGillic	Watt
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Mutchler	Wog
Greene, Stutsman	Nelson, Barnes	Young
Handley	Nelson, Grand.Fks.	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Braaten	Gronvold	Matthaei
Eastgate	Kamrath	Owings
Fine	Kolpin	Thatcher
Fowler	Lowe	

So the resolution was declared adopted.

Senate Concurrent Resolution X was read the second time and adopted by viva voce vote.

Senator Miklethun moved that Senate Concurrent Resolution "A-b" be placed at the foot of the calendar.

Which motion prevailed.

Senator Cain moved that Senate Concurrent Resolution "V" be amended as follows:

After the word "War" in line 5 of the printed bill, insert the following: "due to totally inadequate preparedness for war."

After the word "against" in line 6 of the printed bill, insert the following: "misguided pacificistic sentiment which accounted for our lack of preparedness in the World War, and should be a warning against."

After the word "states" in line 23, page 2, of the printed bill, insert the following: "outline a definite program of adequate national defense looking to the protection of our borders from outside threats and looking to the protection of our

homes and institutions from internal disruptions set in motion by alien agitators and.”

Which motion was lost.

Senator Cain demanded a roll call on Senate Concurrent Resolution “V.”

A roll call was granted.

SENATE CONCURRENT RESOLUTION “V”

Was read the second time.

ROLL CALL

The question being on the adoption of the Resolution, the roll was called and there were ayes, 28; nays, 18; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Johnson	Mutchler
Brostuen	Kamrath	Nelson, Barnes
Drew	Kolpin	Owings
Dubay	Lemke	Peterson
Ettestad	Lind	Stucke
Fine	Marshall	Thorson
Fredrickson	Matthaei	Trout
Greene, Cavalier	McDonald	Vinje
Greene, Stutsman	Miklethun	Wog
Handley		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Strehlow
Cain	Kroeber	Topp
Coffey	Lowe	Trovatten
Crandall	Lynn	Watt
Eastgate	McGillic	Whelan
Fowler	Nelson, Grand.Fks.	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Jones	Thatcher

So the resolution was declared adopted.

Senator Miklethun moved that the vote by which Senate Concurrent Resolution “V” was adopted, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Miklethun demanded a roll call on the adoption of Senate Concurrent Resolution “A-b.”

A roll call was granted.

SENATE CONCURRENT RESOLUTION “A-b”

Was read the second time.

ROLL CALL

The question being on the adoption of the resolution, as amended, 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.
Braaten	Kolpin	Owings
Brostuen	Kroeber	Peterson
Drew	Lemke	Stucke
Dubay	Lind	Thorson
Ettestad	Marshall	Topp
Fine	Matthaei	Trout
Fredrickson	McDonald	Trovatten
Greene, Cavalier	Miklethun	Vinje
Handley	Mutchler	Wog
Johnson	Nelson, Barnes	Young
Kamrath		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Nelson, Grand.Fks.
Coffey	Lowe	Strehlow
Crandall	Lynn	Watt
Eastgate		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Greene, Stutsman	Thatcher
Erickson	Jones	Whelan
Fowler	McGillic	

So the resolution was adopted.

Senator Miklethun moved that the vote by which the resolution was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Bonzer: "I feel that the government is too much in the banking business now, and therefore I vote 'no'."

SENATE CONCURRENT RESOLUTION "S"

Was read the second time.

The question was on the adoption of Senate Concurrent Resolution "S," and the Resolution was declared adopted by a viva voce vote.

Senator Miklethun moved that the vote by which Senate Concurrent Resolution "S" was adopted be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

SENATE CONCURRENT RESOLUTION "A-f"

Was read the second time.

The question being on the adoption of Senate Concurrent Resolution "A-f" the Resolution was declared adopted by a viva voce vote.

Senator Thorson moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

FIFTY-FIRST DAY

Senate Chamber,
Bismarck, North Dakota,
February 27, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. O. O. Andvik.

Roll call: All Senators were present except Senator Thatcher.

Senator Handley moved that the absent Senator be excused.

Which motion prevailed.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Forty-Ninth day after recess and the Fiftieth day and recommend that the same be corrected as follows:

At the top of page 54, strike out the first three lines, and insert the following in lieu thereof:

"Senator Jones moved as a substitute motion that Senate Bill No. 283 be placed at the foot of the calendar."

On page 98, in line 16, change the second word "member" to read "person."

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

Senator Owings moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 27, 1935.

Mr. Speaker: I have the honor to transmit herewith the following:

SENATE CONCURRENT RESOLUTION "A-d"

Also,

SENATE CONCURRENT RESOLUTION "X"

Also,

SENATE CONCURRENT RESOLUTION "V"

Also,

SENATE CONCURRENT RESOLUTION "A-b"

Also,

SENATE CONCURRENT RESOLUTION "S"

Also,

SENATE CONCURRENT RESOLUTION "A-f"

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

FIRST READING OF HOUSE BILLS

House Bill No. 263. A Bill for an Act Amending and Re-enacting Section 2 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Acts Amendatory Thereof; Section 3C, Section 3G and Section 3G (1) of Chapter 260 of the Session Laws of North Dakota for the Year 1929; Sub-section B, Sub-section D and Sub-section I of Section 4 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 as Amended by Chapter 314 of the Session Laws of North Dakota for the Year 1931; Section 10-1 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Acts Amendatory Thereof; Section 13 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, All Constituting Parts of the Workmen's Compensation Act of the State of North Dakota and Further Making it Illegal to Employ Workers Not Protected by Workmen's Compensation Insurance and Giving the Workmen's Compensation Bureau Power to Enjoin Such Unlawful Employments.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 220. A Bill for an Act to Prohibit Dancing In, On, Or About Places Where the Licensed Sale or Distribution of Wines, Beer or Vinous Liquor is Conducted, and Providing the Penalty for Violation, Declaring an Emergency.

Was read the first time and referred to the Committee on Temperance.

House Bill No. 281. A Bill for an Act to Amend and Re-

enact Section 7812 of the Compiled Laws of North Dakota for the Year 1913, Relating to Non-resident and Foreign Corporations Furnishing Surety for Costs When Plaintiffs and Excepting from the Operation Thereof, Corporations That Are Agencies or Instrumentalities of the United States of America.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 289. A Bill for an Act to Amend and Re-enact Subdivision 4 of Section 4 and Sections 13 and 14 of Chapter 97 of the Session Laws of 1933.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 310. A Bill for an Act Establishing Methods for Determining Division Lines Between Adjoining Owners of Agricultural Lands; Authorizing Survey by County Surveyor and Requiring Adjoining Owners to Share the Expense; Providing Methods for Collecting Said Expense.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 172. A Bill for an Act Providing for the Establishment of Voting Precincts in All Independent and Special School Districts; Requiring Establishment of Polling Places for Each 3000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Elections.

House Bill No. 196. A Bill for an Act Providing for the Creation and Establishment of a Labor Division Within the Department of Agriculture and Labor, and Providing for the Qualification and Making Provision for the Appointment of a Deputy Within the Department of Agriculture and Labor, to Represent Labor.

Was read the first time and referred to the Committee on Agriculture.

House Bill No. 234. A Bill for an Act Relating to Foreclosure of Real Estate Mortgages Held by the State of North Dakota as Security for Investment of Permanent School Funds, Authorizing the Board of University and School Lands to Accept From Record Title Owner Deed of Conveyance of Mortgaged Land in Lieu of Foreclosure, Affect of Such an Deed, Dispensing With Execution and Delivery of Power of Attorney in Conducting Proceedings for the Foreclosure of Such Mortgages, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 287. A Bill for an Act Creating and Establishing a Lien in Connection With the Planting, Cultivation and Harvesting of Sugar Beets, to Be Known as Sugar Beet Crop Production Lien, Providing the Manner in Which Such Lien Shall Be Perfected, the Priority Thereof, and Declaring an Emergency.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 267. A Bill for an Act to Authorize, Upon the Option of the Voters, the Creation of a Light and Power Users Commission in Any Organized Town, Village, or City in the State of North Dakota.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 325. A Bill for an Act to Restore the Motor Vehicle Registration Fund to the Highway Department.

Was read the first time and referred to the Committee on Highways.

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 2761 of the Compiled Laws of the State of North Dakota for 1913 as Amended by Chapter 64, Session Laws of 1915, Prohibiting the Sale of Purebred Cattle or Cattle Represented to Be Purebred, for any Other Purpose Except Slaughter, Unless Accompanied by a Certificate of Health, and Providing a Penalty Therefor.

Was read the first time and referred to the Committee on Livestock.

House Bill No. 164. A Bill for an Act Creating Official Board to Be Known as "North Dakota Poultry Improvement Board" for the Purpose of Improving Poultry Breeding, Control and Eradication of Communicable Poultry Diseases, Authorizing Board to Formulate Plans, to Prescribe, Adopt and Enforce Rules and Regulations for Inspection, Testing and Certifying Poultry Hatcheries and Poultry Breeding Flocks for Breed Improvement in Accordance With Federal Regulations, Authorizing State Livestock Sanitary Board to Prescribe, Adopt and Enforce Rules and Regulations Testing, Approving, and Passing, as Free From Certain Diseases, Poultry Breeding Flocks, Prescribing License Fees and Fees for Service, Providing for Funds to Administer and Enforce This Act, and Fixing Penalties for Violations.

Was read the first time and referred to the Committee on Livestock.

House Bill No. 347. A Bill for an Act Relating to Relief and Rehabilitation Work Carried on in North Dakota by the Federal Emergency Relief Administration Through the North Dakota Rural Rehabilitation Corporation; Exempting From Taxation Moneys and/or Credits Coming Into the Possession of or Belonging to the North Dakota Rural Rehabilitation Corporation as a Result of Any Federal Grant or Gift for Relief or Rehabilitation Purposes, and Authoriz-

ing the State Treasurer, in Event of Dissolution of the North Dakota Rural Rehabilitation Corporation, to Accept Funds and Property on Hand or Belonging to the Corporation at the Time of Dissolution.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 329. A Bill for an Act Relating to Transportation or Amounts Allowed in Lieu Thereof, and Providing for Division Among Families; Repealing Acts in Conflict.

Was read the first time and referred to the Committee on Education.

House Bill No. 328. A Bill for an Act for the Transfer of License Tags Required for Trucks Engaged in Commercial Freighting, as Provided by Sub-division C of Section 5 of Chapter 186 of the Session Laws of 1931, to Another Truck Owned by the Same License Holder, Upon the Sale or Destruction of Such Commercial Freighting Truck, so Licensed; Prohibiting Automobile Dealers from Permitting the Use of A Dealers License by Another Dealer and Providing Penalty Therefor.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 276. A Bill for an Act Relating to Special Election for Removal of County Seats in Certain Counties, and Petition Therefor, Providing for Preliminary Resolutions by the Board of County Commissioners and Publication Thereof, Notice of Election, Election—How Conducted, and County Seat Designated, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on Elections.

House Bill No. 210. A Bill for an Act to Amend and Re-enact That Portion of Section 2166 of the Supplement to the Compiled Laws of 1913 as Was Amended and Re-enacted by Sub Section (b) of Section 1 of Chapter 279 of the 1931 Session Laws Relating to the Collection of Personal Property Taxes; Providing for Publication of Personal Property Tax List in Newspapers Nearest the Taxing District. Repeal.

Was read the first time and referred to the Committee on Highways.

House Bill No. 213. A Bill for an Act Creating the State Athletic Commission, Prescribing its Powers and Duties, Providing Penalties for Violations and Repealing all Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 185. A Bill for an Act Requiring the Commissioner of Insurance to Deposit All Receipts of the

Department With the State Treasurer, and Providing for the Establishment of an Insurance Department Operating Account, and Requiring All Expenses of the Insurance Department to Be Paid Out of Such Insurance Department Operating Account. Repeal.

Was read the first time and referred to the Committee on Insurance.

House Bill No. 330. A Bill for an Act to Provide for the Creation of County Parks and for the Organization of a Board of County Park Commissioners and for the Regulation and Control of Said County Parks and Lands Adjacent Thereto.

Was read the first time and referred to the Committee on Counties.

House Bill No. 360. A Bill for an Act Giving Preference to North Dakota Bidders and Sellers; Defining Such North Dakota Bidders and Sellers, and Prescribing the Nature of Preference to Be Given.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 314. A Bill for an Act Relating to the Granting of Relief in Certain Cases From Inequitable Foreclosure of Mortgages on Real Estate and Execution Sales of Real Estate; for Postponing Certain Sales and for Extending the Periods of Redemption From Certain Others; and Relating to the Jurisdiction and Procedure for Such Relief and for the Right to Possession During the Extended Period, and for Extending the Expiration of Certain Periods of Redemption.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 353. A Bill for an Act to Amend and Re-enact Section 3080a4 of the Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Labeling of Gasoline and Kerosene.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 359. A Bill for an Act to Authorize, Direct and Empower the State Board of Administration to Provide, Furnish and Equip a Room in the State Capitol Office Building for the Exclusive Use of Representatives of Accredited Press Associations and Daily Newspapers.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 193. A Bill for an Act Prohibiting the Deposit of Any Public Funds by Any State, County, School Township or Any Board or Commission in Any Bank, Unless at Least 51% of the Stock of Said Bank is Owned by Actual Residents of the State of North Dakota.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 278. A Bill for an Act Authorizing the State of North Dakota to Manufacture, at its Own Cost, for its Own Use, the Hoiland Economy Road Planer, and Pay the Patentee, Albert Hoiland, the sum of \$5.00 for Each Planer so Manufactured and Used.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 106. A Bill for An Act Providing and Permitting the Purchase of Gasoline to be Used Solely for Agricultural Purposes Without Payment of Gasoline Tax on Purchase Thereof; Licensing Purchasers and Sellers Thereof; Providing Penalty; Repeal.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 323. A Bill for an Act to Amend and Re-enact Subdivision 1 of Section 20, Subdivision (3) of Section 32, and Section 40 of Chapter 148 of the Session Laws of 1931 Relating to Game and Fish, the Propagation, Conservation, Protection and Preservation of Wild Birds, Wild Animals, and Fish; Providing for Open Season for Killing or Taking Said Game Birds, Game Animals, Fur Bearing Animals, Fish and Deer; Authorizing the Governor Upon Recommendation of the Game and Fish Commissioner to Open Central or Extended Seasons for Taking or Killing Wild Birds and Wild Animals; Providing for Search and Seizure and Providing for Resident and Non-resident Licenses; Defining Duties of Officers and Game Refuges, and Providing for Penalties and Violation Thereof and Amplifying the Provisions of the Section Hereby Amended; Prohibiting the Use of Dogs, Horses, Mules or Other Animals in the Hunting of Deer or Antelope; Making Unlawful the Possession of Certain Implements, Guns, Snares and Artificial Lights in Certain Territories at Certain Times and During Certain Hours.

Was read the first time and referred to the Committee on Game and Fish.

House Bill No. 292. A Bill for an Act Authorizing and Empowering Cities and Villages to Issue Bonds for the Purpose of Purchasing Outstanding Special Improvement Warrant, and Declaring an Emergency.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 338. A Bill for an Act Creating a State Board of Public Welfare, Defining its Powers and Duties, Making an Appropriation Therefor, Repealing All Acts and Parts in Conflict with the Provisions of This Act, and Declaring an Emergency.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 6 of the Initiated Measure Entitled, "An Act to Impose a Tax Upon the Sale of Motor Vehicle Fuel; Providing for the Collection of Said Tax, for Reports of Sales of Such Motor Fuels and for the Disposition of the Revenue Derived Therefrom; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; 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 time and referred to the Committee on State Affairs.

House Bill No. 365. A Bill for an Act Providing That Teachers Who Served in the United States Armed Forces During the World War Shall Be Entitled to Have the Time of Said Service Counted "Teaching Service" Under the Teachers' Insurance and Retirement Lay Upon Payment of the Assessments for the Time of Said Service; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Education.

House Bill No. 44. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 313. A Bill for an Act Authorizing and Directing the Register of Deeds in the Various Counties to Remove From Their Files and Destroy Outlawed Seed Liens, Labor Liens, Stallion Liens, Chattel Mortgages, Conditional Sales and Crop Contracts Filed Prior to January 1, 1920, and by Reason of Failure of Renewal as by Statute Provided Have Become Outlawed; Requiring Records to be Kept.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 339. A Bill for an Act Reducing, Defining and Limiting the Permanent Surplus Fund of the State Hail Insurance Department to Three Million (\$3,000,000) Dollars; Declaring the Reasons for Such Limitations Thereon; Providing the Manner of Disbursement and Refunding of Moneys in Excess of Said Sum; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 355. A Bill for an Act Making an Appropriation to Provide for Payment of a Deficit in the Amount

Appropriated for Payment of Per Diem of Employees of Twenty-fourth Legislative Assembly.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 48. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes Assessed and Levied for the Year 1933, and All Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partial Cancellation of the Original Amount of Such Taxes.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 54. 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 time and referred to the Committee on Appropriations.

House Bill No. 55. 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 time and referred to the Committee on Appropriations.

House Bill No. 56. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Building, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 212. A Bill for an Act Appropriating Six Thousand Dollars (\$6,000.00) to the State Historical Society for the Purchase of the Site of Old Fort Abraham Lincoln in Morton County, North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 221. A Bill for an Act Granting Easements to the United States for Rights of Way Over Lands Owned by the State of North Dakota for Ditches, Dams, Dikes, Fills, Spillways, or Other Structures Now Constructed or to Be Constructed by the United States of America, Its Instrumentalities or Agencies, for the Purpose of Water and/or Wildlife Conservation.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 231. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 128 of the Session Laws of the

State of North Dakota for the Year 1925, Being Section 3163A4 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to Dance Permits.

Was read the first time, and referred to Committee on Corporations Other than Municipal.

House Bill No. 235. A Bill for an Act to Amend and Re-enact Section 9070 of the 1913 Compiled Laws of the State of North Dakota Relating to Notice to Vacate Premises.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 236. A Bill for an Act to Amend and Re-enact Section 409 of the Compiled Laws of North Dakota for 1913 as Amended by Chapter 105 of the Session Laws of North Dakota for 1929, Relating to Compensation of President, Vice President of the Board of Health and County Superintendent of Health, Mileage and Expenses, and Repealing All Acts in Conflict Therewith.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 57. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repair and Equipment of the State School of Science at Wahpeton, North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 59. 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, North Dakota.

Was read the first time and referred to the Committee on Appropriations.

House Bill No. 61. 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 time and referred to the Committee on Appropriations.

House Bill No. 86. A Bill for an Act Providing for the Organization of Credit Unions, the Incorporation Thereof, the Internal Regulation and Management of Same, Defining Their Powers and Duties, Fixing the Number of Officers and Committees, Defining Their Powers, Tenure, Compensation and Duties, Providing for the Adoption and Amendment of By-Laws, Prohibiting the Use of the Term "Credit Unions" by Other Persons, Firms, Associations or Corporations, Defining Membership Therein, Regulating the Rights of Borrowers, Interest on Loans, Capital, Reserves, Loans, Security, Dividends, Fines, Expulsion and Withdrawal of Members, Dissolution, Change of Place of Business, Taxa-

tion of Property, Providing for Reports and Examinations, and Placing the Same Under the Supervision of the State Banking Board.

Was read the first time and referred to the Committee on Banks and Banking.

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 140, Session Laws 1933, Defining Usury.

Was read the first time and referred to the Committee on Banks and Banking.

House Bill No. 112. A Bill for an Act Regulating the Purchase, Use, Administering and Handling of Hog Cholera Virus, and Providing Penalties Therefor.

Was read the first time and referred to the Committee on Livestock.

House Bill No. 176. A Bill for an Act Authorizing the Board of County Commissioners to Provide Room or Rooms in the Courthouse for the Exclusive Use of ex-Service Men Who Served in the Great World War.

Was read the first time and referred to the Committee on Military Affairs.

House Bill No. 179. A Bill for an Act to Amend and Re-enact Section 235 of the 1933 Session Laws Prescribing and Limiting the Time to Which Text Books May Be Changed in the Schools and Educational Institutions in This State.

Was read the first time and referred to the Committee on Education.

House Bill No. 182. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 219 of the Session Laws of North Dakota of the Year 1923 (Section 3999, Subdivision 3, Supplement 1925.)

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 183. A Bill for an Act to Repeal Sections 924, 925, 926, and 927 of the Compiled Laws for the Year 1913, as Section 927 is Amended by Chapter 213 of the Session Laws of 1923, and as Found in Section 927a1 and 927a2, Relating to Publicity Pamphlet and the Publication and Distribution Thereof.

Was read the first time and referred to the Committee on Elections.

House Bill No. 188. A Bill for an Act Relating to the Granting of Preventative Relief, Prescribing Conditions Thereof and Provisions Therefor; and Repealing Sections 7214a1, 7214a2 and 7214a3 of the Supplement to the 1913 Compiled Laws of North Dakota.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 202. A Bill for an Act Amending and Re-enacting Chapter 175, Session Laws of the State of North Dakota for the Year 1929.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 204. A Bill for an Act to Repeal Section 10185b of the Supplement to the 1913 Compiled Laws of North Dakota Relating to Prohibiting Smoking in Specified Places, and the Penalties.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 241. A Bill for an Act to Amend and Re-enact Section 852 of the Compiled Laws of North Dakota for 1913, as Amended by Section 1, Chapter 150 of the Session Laws of 1915; Providing for a Primary Election to Be Held on the Last Tuesday in June in Years in Which General Elections Occur; Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Elections.

House Bill No. 253. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 199 Session Laws of 1933 Relating to the Disposition of Fees and Payment of Expenses of the North Dakota Regulatory Department.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 243. A Bill for an Act Permitting Deduction of Personal Property Taxes Due and Delinquent from Claims, Demands, Salaries, and Wages Due from Counties; Prescribing Duties of County Auditor in Connection Therewith; Giving Such Deduction Priority Over Any Sale, Transfer or Assignment of Such Claim, Demand, Salary and Wage; Repealing Section 4227 of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 250. A Bill for an Act Validating Certain County Warrants for Poor Relief Issued Under and by Virtue of Section 4, Chapter 98 of Session Laws of North Dakota for 1933, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 256. A Bill for an Act Authorizing the County Commissioners to Purchase and Condemn Right of Ways.

Was read the first time and referred to the Committee on Highways.

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5, of Chapter 235 of the Session Laws of 1929, as Amended by Chapter 297 of the Session Laws of 1931, Relating to Tax Levy, Limitations of Cities.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

House Bill No. 261. A Bill for an Act to Amend and Re-enact Section 2202 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Giving Notice of the Expiration of the Period of Redemption on Property Forfeited to the County at Tax Sales, Issuance of Tax Deeds to County and Sale by County of Property Acquired by Tax Deed, as Said Section is Amended by Chapter 226 of the Session Laws of 1927 Insofar as it Relates to Sub-division 6 of Said Amended Chapter.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 262. A Bill for an Act to Amend and Re-enact Section 3596 of the Compiled Laws of 1913, Relating to Procedure in Passing Ordinances in Cities Under the Mayor Council Form of Government.

Was read the first time and referred to the Committee on Cities and Municipal Corporations.

House Bill No. 280. A Bill for an Act to Amend and Re-enact Section 9020 of the Compiled Laws of North Dakota for the Year 1913, Relating to Surety for Costs Where Plaintiff is a Non-resident of the State or a Corporation and Exempting from the Operation of Said Section Public Corporations of the State of North Dakota and Corporations That Are Instrumentalities or Agencies of the United States of America.

Was read the first time and referred to the Committee on Judiciary.

House Bill No. 265. A Bill for an Act to Cancel All Interest and Penalty, Levied and Assessed Against Delinquent Real Estate Taxes and Providing for Redemption of Real Estate Sold or Forfeited to the County for the Years 1933, and All Prior Years, and Still Held by the County, Without Paying Interest or Penalty, if Said Taxes Are Paid During the Year 1935; Repealing All Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Taxes and Tax Laws.

HOUSE CONCURRENT RESOLUTION "A-18"

Was read the first time and referred to the Committee on State Affairs.

HOUSE CONCURRENT RESOLUTION "A-13"

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 95. A Bill for an Act Legalizing and Validating All Publications and Posting of Tax Sale Notices and Tax Sale Certificates Based Thereon Which Notices Have Been Posted or Published Prior to January 1st, 1935.

Was read the first time and referred to the Committee on Public Printing.

House Bill No. 258. A Bill for an Act Providing a Uniform Law for the Administration and Supervision of Trust Estates in the District Court, and Providing the Procedure and Rules Governing and Relating to Same; and Repealing All of Chapter 122 of the Session Laws of North Dakota for the Year 1931, and All Other Acts or Parts of Acts in Conflict Herewith, and Making the Act an Emergency Measure.

Was read the first time and referred to the Committee on Judiciary.

HOUSE CONCURRENT RESOLUTION "A-12"

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 181. A Bill for an Act to Amend and Re-enact Chapter 254 of the Session Laws of 1933, Relating to the Old Age Pensions, Creating an Old Age Pension Fund, Providing for the Levy of Any Annual Tax Therefor, Prescribing Persons to Be Pensioned Thereunder, and Penalties for the Violation Thereof.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 227. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 235, Session Laws of 1929, as Amended by Chapter 252, Session Laws of 1931, and Section 2 of Chapter 297, Session Laws of 1931, Relating to the Tax Levy Limitations of School Districts.

Was read the first time and referred to the Committee on Education.

House Bill No. 286. A Bill for an Act to Amend and Re-enact Sections 396b1, 396b2, 396b4, 396b5 and 396b10 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to the Minimum Wage and Hours for Women Workers; Transferring the Duties for the Enforcement of the Said Law From the Workmen's Compensation Bureau to the Department of Agriculture and Labor; Repealing All Acts and Parts of All Acts in Conflict With This Act and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 299. A Bill for an Act to Amend and Re-

enact Section 2 of Chapter 206 of the 1933 Session Laws of the State of North Dakota, Providing for the Sale of Personal Property or Chattels Ordered Sold by Judicial Action; Providing for the Publication of Notice of Sale, Repealing Acts in Conflict Herewith and Declaring an Emergency.

Was read the first time and referred to the Committee on Public Printing.

House Bill No. 295. A Bill for an Act Prohibiting Real Estate and Chattel Mortgages Given to Secure the Purchase or Contract Price of Personal or Real Property from Including or Creating a Lien on Any Real or Personal Property Other Than the Property Purchased for Which Said Mortgage is Given to Secure; Invalidating Real and Chattel Mortgages Given in Violation of This Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 298. A Bill for an Act Requiring Safety Shatter-proof Glass in Automobiles, Taxis, Passenger and School Busses.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 300. A Bill for an Act to Amend and Re-enact Section 4609b6, of the Supplement to the Compiled Laws of North Dakota, Providing Enlarged Powers to Co-operative Marketing Associations in Connection with the Handling of Co-operative Products.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 311. A Bill for an Act to Amend and Re-enact Section 470 of the Compiled Laws of the State of North Dakota for 1913 Being Section 13 of Chapter 189 Session Laws of 1911 Relating to Penalties for Violation of the Laws Concerning the Practice of Medicine and Surgery.

Was read the first time and referred to the Committee on Public Health.

HOUSE CONCURRENT RESOLUTION "A-16"

Was read the first time and referred to the Committee on Military Affairs.

House Bill No. 255. A Bill for an Act to Re-establish the State Equalization Fund for the Common Schools of the State; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of That Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts.

Was read the first time and referred to the Committee on Education.

House Bill No. 273. A Bill for an Act to Establish a County Motor Vehicle Department Under the Supervision of the State Highway Commissioner. Designating County Auditor as Assistant Registrar of the State Motor Vehicle Registration Department. Providing for a Uniform System of Accounting and Business Procedure for Such County Motor Vehicle Departments. Giving State Highway Commissioner, Acting Directly or Through State Motor Vehicle Department, Authority to Make Necessary Rules and Regulations of the Administration of the Affairs in the County Motor Vehicle Departments. Providing How County Auditors Shall Qualify as Such Assistant Motor Vehicle Registrars, Bond and Compensation. Defining Certain Duties Imposed Upon the State Motor Vehicle Department, its Registrar, the Assistant Registrar in Each County in the State. Disposition of the Fees and Moneys Collected from the Sale of Motor Vehicle Licenses and Tags at the County Seats of the Several Counties of the State of North Dakota and Providing That All Acts or Parts of Acts in Conflict with the Provisions of This Act are Superceded by the Provisions Hereof.

Was read the first time and referred to the Committee on Ways and Means.

House Bill No. 362. A Bill for an Act to Amend Section 25, Chapter 97 of the Session Laws of North Dakota for 1933, Relating to Relief for the Poor, Prescribing the Establishment of a County Welfare Board by the Board of County Commissioners.

Was read the first time and referred to the Committee on State Affairs.

House Bill No. 363. A Bill for an Act Directing the Board of Administration of the State of North Dakota to Sell at Public Auction or Private Sale, all Automobiles and Automobile Equipment Purchased by the Beer Commissioner of the State of North Dakota; Authorizing Said Board to Demand, Receive and Take Possession of all Such Property; Directing Attorney General to Institute Suits or Proceedings at Request of Board of Administration; Permitting Deduction of Costs and Expenses Connected with Said Sale; Providing for Disposition of Balance of the Receipts and Requiring Report to Governor; Repealing Acts in Conflict and Declaring an Emergency.

Was read the first time and referred to the Committee on State Affairs.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

J. R. Jensen, Coteau; Mr. and Mrs. Enoch Rodlend, Kathryn; Mrs. James G. Thoreson, Edwin Maasjo, Fingal; Robert Wage, Tuttle; Bert Smith, Hanson Blackmore, Tappen; James Bruce, Baker, Montana; Ole Tuneberg, Nels Olsgard, Ole

Olsgard, Randall Borderud, Kindred; Mr. and Mrs. Nels Haugland, Minot; Mr. and Mrs. O. T. Haakenson, Ellen Haakenson, Mandan; Andrew Jensen, Sigurd Gullickson, Ole E. Johnson, Theodore Jensen, Johannes Jensen, Bob Scoff, Norma.

Senator Fine moved that the Senate do now recess until 1:00 o'clock P. M. tomorrow.

Which motion prevailed.

The Senate stood recessed.

F. E. TUNELL,
Secretary.

FIFTY-FIRST DAY AFTER RECESS AND
FIFTY-SECOND DAY

Senate Chamber,
Bismarck, North Dakota,
February 28, 1935.

The Senate convened at 1:00 o'clock P. M., President pro tem. Marshall presiding.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A telegram presented by Senator Trout, signed, Doctor Wm. G. Movius in opposition to hard liquor.

Referred to the Committee on Temperance.

A petition presented by Senator Young, signed, Lynn J. Frazier, regarding seed loans.

Referred to the Committee on State Affairs.

A petition presented by Senator Greene of Stutsman, signed, A. L. Kulm, of Farmers Union Local No. 1118, demanding a graduate income tax.

Referred to the Committee on Taxes and Tax Laws.

A petition presented by Senator Greene of Stutsman, signed, Gilbert Oen, of Farmers Union Local No. 822, in support of House Bill No. 7.

Referred to the Committee on Agriculture.

A petition presented by Senator Bonzer, signed, C. E. Dorfner and one hundred seven others, opposed to House Bill No. 135.

Referred to the Committee on State Affairs.

A petition presented at the desk, signed, Fay Cotton and thirty-eight others, opposed to House Bill No. 135.

Referred to the Committee on State Affairs.

A petition presented by Senator McGillic, signed, F. A. Johnson and two hundred forty-one others in opposition to House Bill No. 135.

Referred to the Committee on State Affairs.

A petition presented by Senator Braaten, signed, F. Trydahl and twenty-nine others, regarding the Mayville State Teachers College.

Referred to the Committee on Taxes and Tax Laws.

A resolution presented by Senator Crandall, signed, Chas. Faust, of the Farmers Union School at Lisbon, regarding education.

Referred to the Committee on Education.

A resolution, presented by Senator Vinje, signed, A. O. Wallen of the Junior Chamber of Commerce of Hillsboro, regarding the Mayville State Teachers' College.

Referred to the Committee on Taxes and Tax Laws.

A petition presented by Senator Bonzer, signed, L. G. Starin and nine others, in regard to education.

Referred to the Committee on Education.

A petition presented by Senator Gronvold, signed, H. T. Rosvold and twenty-two others, in regard to the Mayville Teachers' College.

Referred to the Committee on Taxes and Tax Laws.

A petition presented by Senator Cain, signed, A. W. Hull and seven others, regarding the Ellendale Normal.

Referred to the Committee on Taxes and Tax Laws.

A petition presented by Senator Handley, carrying one hundred and twenty-three signatures, regarding education.

Referred to the Committee on Education.

Two telegrams presented by Senator Stucke, signed, Rev. F. W. Gress and Mrs. F. W. Gress, respectively, in opposition to hard liquor.

Referred to the Committee on Temperance.

A petition presented by Senator Cain, signed, Mrs. Nellie Cooke and fifteen others, in opposition to legalized hard liquor.

Referred to the Committee on Temperance.

Two telegrams presented at the desk, signed, Rev. Arthur M. Long, and Mrs. E. C. Banister, respectively, in opposition to hard liquor legislation.

Referred to the Committee on Temperance.

A petition presented by Senator Cain, signed, Doris Little and three others, in opposition to hard liquor legislation.

Referred to the Committee on Temperance.

A petition presented by Senator Cain, signed, Mrs. Ralph W. Smith, in opposition to hard liquor legislation.

Referred to the Committee on Temperance.

A resolution presented by Senator Young, signed, Mrs. Lottie Maucher, Secretary of the Willow Bank Farmers Union in favor of a gasoline alcohol blending bill.

Referred to the Committee on Taxes and Tax Laws.

A petition presented by Senator Cain, signed, Fred Moser, County Judge, and five others, in opposition to House Bill No. 201.

Referred to the Committee on State Affairs.

A group of ten petitions, presented by Senator Bonzer, carrying two hundred thirty-three signatures of those opposed to House Bill No. 135.

Referred to the Committee on State Affairs.

Two telegrams presented by Senator Gronvold, signed, J. G. McClintock, and H. O. Lyngstad, in opposition to a six per cent tax.

Referred to the Committee on Taxes and Tax Laws.

A group of twelve telegrams presented by Senator Thorson, signed, A. G. Newman, Farmers Equity Exchange, Citizens State Bank, W. D. McKenzie and Son, H. A. Hilden, G. A. Deering, H. K. Bushman, R. J. Shafer, First State Bank of Regent, Farmers Union Oil Co., Reeder, New England Drug Co. and Reeder Cooperative Co., opposed to a six per cent tax.

Referred to the Committee on Taxes and Tax Laws.

A telegram presented by Senator Gronvold, signed, Geo. Conoven, and two other school directors of Wolford, regarding school taxes.

Referred to the Committee on Taxes and Tax Laws.

A petition presented by Senator Trout, signed, W. J. Paff and twenty-four others, of Tolley, N. D., protesting a sales tax.

Referred to the Committee on Taxes and Tax Laws.

Two petitions presented at the desk, signed, E. A. Trauman, and Mrs. E. C. Trauman, respectively, in opposition to the peddlers license bill.

Referred to the Committee on State Affairs.

Senator Johnson moved that the communication addressed to Senator Young, signed by United States Senator Lynn J. Frazier, be read from the desk, which motion prevailed and the communication was read from the desk.

Senator Whelan moved that the list compiled by the Secretary showing Senate Bills indefinitely postponed, killed or withdrawn, Senate Bills passed by the Senate on which action is pending in the House, and Senate Bills passed by both House and Senate be printed in the Journal.

Which motion prevailed.

The following resolutions were filed with the Secretary of State:

SENATE JOINT RESOLUTION "F"
SENATE CONCURRENT RESOLUTION "M"
SENATE CONCURRENT RESOLUTION "R"
SECOND READING OF HOUSE BILLS

House Bill No. 148 was read the second time.

Senator Cain moved that House Bill No. 148 and House Bill No. 129 be placed at the foot of the calendar.

Which motion prevailed.

House Bill No. 72. A Bill Providing for the Investment of Trust Funds of Executors, Administrators and Guardians and Procedure Required.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Handley	Mutchler
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Nelson, Grand Fks.
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Thorson
Drew	Lemke	Topp
Dubay	Lind	Trout
Eastgate	Lowe	Trovatten
Ettestad	Lynn	Vinje
Fine	Marshall	Watt
Fredrickson	Matthaei	Whelan
Greene, Cavalier	McDonald	Wog
Greene, Stutsman	McGillic	Young
Gronvold	Miklethun	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Owings	Thatcher
Fowler	Stucke	

So the bill passed and the title was agreed to and the emergency clause declared carried.

House Bill No. 126. A Bill for an Act to Amend and Re-enact Section 7730 of the Compiled Laws of North Dakota for 1913, Defining Absolute Exemptions.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 41; nays, 3; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Mutchler
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Nelson, Grand Fks.
Cain	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Thorson
Dubay	Lemke	Trout
Eastgate	Lind	Trovatten
Ettestad	Lowe	Vinje
Fine	Marshall	Watt
Fredrickson	Matthaei	Whelan
Greene, Cavalier	McDonald	Wog
Greene, Stutsman	McGillic	Young
Gronvold	Miklethun	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Coffey	Lynn	Topp

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Owings	Thatcher
Fowler	Stucke	

So the bill passed and the title was agreed to.

Senator Young moved that House Bill No. 158 be amended as follows:

In line 5, of Section 1, of the printed bill, after the comma following the word "thistle," strike out the remainder of the line.

In line 6, of Section 1, strike out everything up to the word "sow thistle."

Senator Greene of Stutsman moved as a substitute motion that House Bill No. 158 be re-referred to the Committee.

Which motion was lost.

The question being on the motion of Senator Young, the motion prevailed and the amendment was adopted.

Senator Thorson moved that House Bill No. 158 be further amended by striking out the words "field bindweed," in line 7, of Section 2817, of the printed bill.

Which motion was lost.

Senator Ettestad moved that further consideration of House House Bill No. 158 be indefinitely postponed.

Which motion was lost.

Senator Brostuen moved that the rules be suspended, and House Bill No. 158 be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 158. A Bill for an Act to Amend Section 2817 of the Compiled Laws of North Dakota for the Year 1913 Relating to Noxious Weeds, the Definition of Noxious Weeds and the Manner of Destroying the Same.

Was read the second time.

ROLL CALL

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.
Bonzer	Johnson	Owings
Brostuen	Lind	Peterson
Cain	Lowe	Strehlow
Coffey	Lynn	Thatcher
Crandall	Marshall	Trovatten
Erickson	Matthaei	Vinje
Fine	McDonald	Watt
Fowler	McGillic	Whelan
Fredrickson	Nelson, Barnes	Wog
Greene, Stutsman	Nelson, Grand Fks.	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Gronvold	Lemke
Drew	Handley	Miklethun
Dubay	Jones	Mutchler
Eastgate	Kamrath	Thorson
Ettestad	Kolpin	Topp
Greene, Cavalier	Kroeber	

Absent and not voting:

Messrs.	Messrs.
Stucke	Trout

So the bill passed and the title was agreed to, and the emergency clause was declared lost.

Senator Whelan moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

FIFTY-SECOND DAY

Senate Chamber,
Bismarck, North Dakota,
February 28, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by the Chaplain, Rev. O. O. Andvik of Mandan.

Roll Call: All Senators were present except Senator Stucke.

Senator Kamrath moved that the absent Senator be excused.

Which motion prevailed.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fiftieth Day after Recess and Fifty-first day and recommend that the same be corrected as follows:

On page 40 change Senate Bill No. 323 to read "Senate Bill No. 223."

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

Senator Owings moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 28, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 140. A Bill for an Act Making an Appropriation to the Attorney General to Repay Money Borrowed from The Bank of North Dakota to Pay Expenses Incurred for Fees and Disbursements in Certain Tax Litigations, and Declaring an Emergency.

Also,

Senate Bill No. 139. A Bill for an Act Making an Appropriation to Meet a Deficiency in the Appropriations Made to the Board of Pardons for the Biennium period expiring June 30, 1935, and Declaring an Emergency.

Also,

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 26, 27, 31, 32 and 33 of Chapter 164, of the Session Laws for 1933, Relating to Regulation of Motor Vehicle Transportation, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Which the House has passed unchanged.

Also,

Senate Bill No. 94. A Bill for an Act to Provide for Physical Examination and Qualifications of Persons Engaged in Driving Motor Propelled Vehicles Used for the Transportation of School Children, and to Provide Mechanical Inspection and Requirements of Such Vehicles, Also Providing for the Enforcement of the Provisions of This Act, and Punishment for Violation Thereof.

Also,

Senate Bill No. 184. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys and Girls Club Work at State and District Fairs.

Which the House has indefinitely postponed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
February 28, 1935.

Mr. President: I have the honor to return:

Senate Bill No. 124. A Bill for an Act Declaring Water and/or Wildlife Conservation to Be a State Purpose, Providing the Governor and Board of University and School Lands with the Authority to Grant to the United States of America, or to Any of Its Instrumentalities or Agencies, Any and All Easement Rights as Shall Be Required for the Construction, Maintenance and Operation of Water and/or Wildlife Conservation Projects to Be Constructed on the Public Lands of the State of North Dakota, Declaring That Such Water and/or Wildlife Conservation Projects Shall Be Considered as a Benefit to Said Lands and Not to Diminish the Value or Purchase Price Thereof, Repealing Any and All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Which the House has amended:

House amendments are found in House Journal of February 21, 1935, page 10.

Amendments on engrossed Bill:

In line 2, of the title, strike out the words "Governor and."

In line 12, of Section 2, strike out the words "Governor and."

The Further Amendments Are on the Printed Bill:

On line 11, Section 2, page 2, strike out the word "the" just preceding the word "Board."

Also,

Senate Bill No. 163. A Bill for an Act Making an Appropriation to the University of North Dakota to Meet a Deficiency in the Appropriation for the Biennium Expiring June 30, 1935, for the Public Health Laboratories; and Declaring an Emergency.

Which the House has amended as follows:

House Amendments found in House Journal of February 21, 1935, page 63.

In line 4, of the printed bill, strike out the words, eight hundred and also the figures, \$2,800.00, and insert in lieu thereof the figures \$2,000.00.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Watt moved that the Senate do concur in the House amendments to Senate Bill No. 124.

Which motion prevailed.

Senator Fine moved that the rules be suspended, and that Senate Bill No. 124 be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 124. A Bill for an Act Declaring Water and/or Wildlife Conservation to Be a State Purpose, Providing the Governor and Board of University and School Lands with the Authority to Grant to the United States of America, or to Any of Its Instrumentalities or Agencies, Any and All Easement Rights as Shall Be Required for the Construction, Maintenance and Operation of Water and/or Wildlife Conservation Projects to Be Constructed on the Public Lands of the State of North Dakota, Declaring That Such Water and/or Wildlife Conservation Projects Shall Be Considered as a Benefit to Said Lands and Not to Diminish the Value or Purchase Price Thereof, Repealing Any and All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Thatcher
Drew	Kroeber	Thorson
Dubay	Lemke	Topp
Erickson	Lind	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	Matthaei	Stucke
Lowe		

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 28, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 124.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Frederickson moved that the Senate do not concur in the House amendments to Senate Bill No. 163 and that the President appoint a conference committee.

Which motion prevailed.

The President appointed the following Conference Committee on Senate Bill No. 163: Senators Fredrickson, Miklethun and Greene of Cavalier.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 28, 1935.

Mr. Speaker: I have the honor to inform you that the

Senate has refused to concur in the House amendment to Senate Bill No. 163 and the President has appointed as a Conference Committee, Senators: Fredrickson, Miklethun and Greene of Cavalier.

Very respectfully,

F. E. TUNELL,
Secretary.

SENATE COMMITTEE ON ENROLLMENT AND
ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 91. A Bill for an Act Requiring Issuance of Receipt for Road Tax Paid Interstate Carriers, and Requiring Posting of Receipts, and Providing a Penalty for Violation Thereof, and Declaring an Emergency.

Also,

Senate Bill No. 110. A Bill for an Act Declaring the Draining of a Meandered Lake Within the State of North Dakota to Be a Misdemeanor and Providing Penalties Therefor.

Also,

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 138 of the 1933 Session Laws of the State of North Dakota Relating to Hail Tax Refund.

Were delivered to the Governor for his approval at the hour of 10:15 o'clock, February 27, 1935.

T. E. WHELAN,
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. 264. A Bill for an Act Relating to Licensing of Motor Vehicle Operators and Chauffeurs and to the Liability of Certain Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fee to be Paid; Providing for Examination of Applicant; Providing for Suspension or Revocation of License; Making Disposition of Fees Collected; Providing for Penalty for Violating Act; Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

And find the same correctly re-engrossed.

T. E. WHELAN,
Chairman.

THURSDAY, FEBRUARY 28, 1935

1065

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

February 27, 1935.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 162 of the 1933 Session Laws, Providing for Taxation of Motor Vehicles Using the Highways of the State of North Dakota for Commercial Purposes, and Engaged in Transportation for Hire in Interstate Commerce.

Also,

Senate Bill No. 110. A Bill for an Act Declaring the Draining of a Meandered Lake Within the State of North Dakota to Be a Misdemeanor and Providing Penalties Therefor.

Also,

Senate Bill No. 112. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Stenographers, and Clerkhire, Express and Freight, Postage, Telegrams and Telephones, Office Supplies, Printing, Traveling Expenses, and Miscellaneous Expenses of the State Geological Survey, and Declaring an Emergency.

Very truly yours,

WALTER WELFORD,
Governor.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 28, 1935.

Mr. Speaker: I have the honor to transmit herewith the following:

SENATE CONCURRENT RESOLUTION No. "A-c"

Which the President has signed and your signature is respectfully requested.

Also return:

House Bill No. 124. A Bill for an Act to Amend and Re-enact Section 9023 of the 1913 Compiled Laws of the State

of North Dakota Relating to the Time for Defendant's Appearance in Justice Court.

Which the Senate has indefinitely postponed.

Also return:

House Bill No. 126. A Bill for an Act to Amend and Re-enact Section 7730 of the Compiled Laws of North Dakota for 1913, Defining Absolute Exemptions.

Which the Senate has passed unchanged.

Very respectfully,

F. E. TUNELL,
Secretary.

SECOND READING OF HOUSE BILLS

Senator Johnson moved that House Bill No. 64 be further amended as follows:

On page 2, line 21, after the first word "more," insert the words "than four."

Which motion prevailed.

Senator Miklethun moved that House Bill No. 64 be further amended as follows:

On page 2 of the printed bill, line 11, strike out the word and figure "four (4)" and insert in lieu thereof the word and figure "two (2)."

Senator Owings moved that the motion of Senator Miklethun to amend Senate Bill 64 be laid on the table.

Which motion prevailed.

Senator Cain moved that further consideration of House Bill No. 64 be indefinitely postponed.

Which motion was lost.

Senator Johnson moved that the amendments offered to House Bill No. 64 prior to its being re-referred to the committee to be found on page 43 of Senate Journal for Monday, February 18th, be adopted, such amendments being as follows:

"In line 16, page 2, strike out everything after the period in lines 16, 17, 18 and 19, up to and including the period."

Which motion prevailed.

Senator Johnson moved that the rules be suspended and that House Bill No. 64, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 64. A Bill for an Act to Amend and Re-enact Section 35 of Chapter 148 of the 1931 Session Laws, Relating to the Bag and Possession Limits on Protected Game Birds.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 42; nays, 5; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Mutchler
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Thatcher
Crandall	Kroeber	Thorson
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Erickson	Lowe	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Drew	Lynn	Strehlow
Gronvold	Nelson, Grand Fks.	

Absent and not voting:

Messrs.	Messrs.
Fredrickson	Stucke

So the bill passed and the title was agreed to.

Senator Watt arose to a point of order and called attention to the fact that House Bill No. 7 carried an appropriation and should be referred to the Appropriations Committee.

Senator Johnson moved that House Bill No. 7 be placed upon second reading and final passage without reference to the Appropriations Committee.

Which motion was lost.

Senator Watt moved that House Bill No. 7 be re-referred to the Committee on Appropriations.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 28, 1935.

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 184.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

The President called Senator Whelan to the chair.

Senator Marshall moved that the Senate return Senate Bill No. 184 to the House as requested by the House.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
February 28, 1935.

Mr. Speaker: I have the honor to return herewith the following bill:

Senate Bill No. 184. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys and Girls Club Work at State and District Fairs.

Which the House has requested.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
February 28, 1935.

Mr. President: I have the honor to return herewith the following:

SENATE CONCURRENT RESOLUTION NO. A-c

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House Concurrent Resolution No. A-15 was read the second time.

Senator Watt moved that House Concurrent Resolution No. A-15 be adopted.

Which motion prevailed.

Senator Cain moved to amend the amendments of the Standing Committee to House Concurrent Resolution No. A-4 as follows:

In the amendment on line 10, strike out the words: "providing a majority of the legal electors of said county, voting upon the question at any general, primary, or special election, shall approve such consolidation of said officers."

Senator Fowler moved, as a substitute motion that House Concurrent Resolution No. A-4 be re-referred to the Committee on Elections, which motion prevailed, and House Concurrent Resolution No. A-4 was re-referred to the Committee on Elections.

House Concurrent Resolution No. A-10 was read the second time.

Senator Erickson moved that the Senate defer action on House Concurrent Resolution No. A-10 one legislative day.

Which motion prevailed.

Senator Jones moved that further consideration of House Bill No. 148 be indefinitely postponed.

Which motion was lost.

SECOND READING OF HOUSE BILLS

House Bill No. 148. A Bill for an Act to Amend and Re-enact Section 1009 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Abstract of Vote; Canvass of Vote; Certificate of Election; Tie How Decided; Publication of Abstract; and Providing for Compensation.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 29; nays, 19; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Miklethun
Braaten	Kamrath	Nelson, Barnes
Brostuen	Kolpin	Owings
Erickson	Kroeber	Peterson
Fine	Lemke	Thatcher
Fowler	Lind	Thorson
Fredrickson	Marshall	Topp
Greene, Cavalier	Matthaei	Vinje
Greene, Stutsman	McDonald	Wog
Handley	McGillic	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Strehlow
Coffey	Jones	Trout
Crandall	Lowe	Trovatten
Drew	Lynn	Watt
Dubay	Mutchler	Whelan
Eastgate	Nelson, Grand Fks.	Young
Ettestad		

Absent and not voting:

Messrs.
Stucke

So the bill passed and the title was agreed to.

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 134 of the 1927 Session Laws Relating to the Return and Disposition of Election Ballots and Compensation of Election Officers.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillie	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman		

Those voting in the negative were:

Messrs.	Messrs.
Johnson	Nelson, Barnes

Absent and not voting:

Messrs.
Trout

So the bill passed and the title was agreed to.

House Bill No. 93 was read the second time.

Senator Fine moved that House Bill No. 93 be amended as follows:

On page 2, line 27, following the word "thereby," strike out the period and insert a comma, and add the following: "providing that the provisions of this bill shall not apply to loans made by the Federal Government or the Agencies thereof.

Which motion prevailed.

Senator Cain moved that further consideration of House Bill No. 93 be indefinitely postponed.

Senator Fine moved that the rules be suspended and that House Bill No. 93, as amended, be placed upon second reading and final passage.

Senator Fine withdrew his substitute motion.

Senator Cain withdrew his motion.

Senator Cain moved that the Senate reconsider the vote by which it adopted Senator Fine's amendment to House Bill No. 93.

Which motion prevailed.

Senator Bonzer moved that House Bill No. 93 be amended as follows:

On page 2 of printed bill, following word "thereby" in line 27, strike out the period, insert a comma, and add the following:

"Provided that the terms and conditions of this Act shall not apply to notes, mortgages, or other obligations due to or held by the United States Government, Land Bank Commissioner, Any Federal Land Bank, Intermediate Credit Bank, Production Credit Association, Bank for Cooperatives, Federal Farm Mortgage Corporation, Agricultural Credit Corporation, Regional Agricultural Credit Corporation, Home Owners' Loan Corporation, or any other Agency or Instrumentality of the United States Government, or to notes and obligations incurred under Title One, and to insured mortgages issued under Title Two, of the National Housing Act, approved June 27, 1934, and Acts amendatory thereof and supplementary thereto."

Which motion prevailed.

Senator Fowler moved that the rules be suspended, and that House Bill No. 93 be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 93. A Bill for an Act to Amend and Re-enact Section 6756 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Form of Chattel Mortgages.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Greene, Stutsman	Owings
Braaten	Kamrath	Peterson
Dubay	Lemke	Stucke
Fine	Marshall	Thorson
Fredrickson	Matthaei	Trout
Greene, Cavalier	McDonald	Vinje

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Handley	Mutchler
Cain	Johnson	Nelson, Barnes
Coffey	Jones	Nelson, Grand Fks.
Crandall	Kolpin	Strehlow
Drew	Kroeber	Topp
Eastgate	Lind	Watt
Erickson	Lowe	Whelan
Ettestad	Lynn	Wog
Fowler	McGillic	Young
Gronvold	Miklethun	

Absent and not voting:

Messrs.	Messrs.
Thatcher	Trovatten

So the bill was lost.

Senator Watt moved that the vote by which House Bill No. 93 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

Senator Cain: I want to explain my vote on this bill. The language used in the exceptions, the amendment we just adopted, part of it reads as follows: "or any other agency or instrumentality of the United States Government." Now, a national bank is an agency and instrumentality of the United States government and I am not in favor of exempting the national banks in the state and carrying on this prohibition against the others. Therefore I vote "no."

House Bill No. 139. A Bill for an Act to Amend and Re-enact Sections 2003a1 and 2003a2 of the 1925 Supplement to the 1913 Compiled Laws Relating to the Cutting of Noxious Weeds on Highways.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Mutchler
Braaten	Johnson	Nelson, Barnes
Coffey	Jones	Owings
Crandall	Kamrath	Peterson
Drew	Kolpin	Strehlow
Dubay	Kroeber	Stucke
Eastgate	Lemke	Thorson
Erickson	Lind	Topp
Ettestad	Lowe	Trout
Fine	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	Matthaei	Whelan
Greene, Cavalier	McDonald	Wog
Greene, Stutsman	McGillic	Young
Gronvold	Miklethun	

Those voting in the negative were:

Messrs.	Messrs.
Brostuen	Trovatten

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Nelson, Grand Fks.	Thatcher

So the bill passed and the title was agreed to.

Senator Erickson moved that House Bill No. 169 be amended as follows:

Following the word "state," in last line of title of the bill, strike out the period, insert a comma, and add the following words: "and declaring an emergency."

Which motion prevailed.

Senator Erickson moved that the rules be suspended and that House Bill No. 169, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 169. A Bill for an Act to Amend and Re-enact Chapter 120, Session Laws of the State of North Dakota for 1933, Relating to the Disposition of Money Collected by the Game and Fish Commission; Providing for the Conservation of Water, and the Construction of Dams Within the State.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Those voting in the negative were:

Messrs.
Braaten

Absent and not voting:

Messrs.
Thatcher

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brostuen moved that the vote by which House Bill No. 93 was lost be reconsidered.

Which motion prevailed.

Senator Brostuen moved that House Bill No. 93 be further amended by striking out the words "or instrumentality," in the amendment offered by Senator Bonzer and previously adopted.

Which motion prevailed.

Senator Brostuen moved that the rules be suspended and that House Bill No. 93, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 93. A Bill for an Act to Amend and Re-enact Section 6756 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Form of Chattel Mortgages.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended the roll was called and there were ayes, 27; nays, 21; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Miklethun
Braaten	Kamrath	Owings
Brostuen	Kolpin	Peterson
Dubay	Kroeber	Stucke
Fine	Lemke	Thorson
Fredrickson	Lind	Trout
Greene, Cavalier	Marshall	Vinje
Greene, Stutsman	Matthaei	Wog
Handley	McDonald	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Nelson, Grand Fks.
Coffey	Jones	Strehlow
Crandall	Lowe	Topp
Drew	Lynn	Trovatten
Eastgate	McGillic	Watt
Erickson	Mutchler	Whelan
Ettestad	Nelson, Barnes	Young
Fowler		

Absent and not voting:

Messrs.
Thatcher

So the bill passed and the title was agreed to.

Senator Bonzer moved that the vote by which House Bill No. 93 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Mr. and Mrs. F. S. Randolph, Lansford; Theodore Randolph, Lansford; M. J. Burns, Sherwood; Perry Brown, Sherwood; J. A. MacLachlan, Bismarck; Tom Dalen, Parshall, Wilger Rodenburg, Strasburg; Mr. and Mrs. Melvin Ottis, Erie; Otto Bormess, Minot; R. E. Wemer, Minot; Fred W. Grounger, Minot; Carl Zietlow, Minot; G. I. Gullicksen, Grand Forks; M. D. Butler, Grand Forks; Mr. and Mrs. Peter Sefeldt, Martin; E. Hagerott, Center; C. H. Geil, Zap; John E. Beck, Zap; Olaf Simenson, Zap; E. Gunderson, Zap; H. Knutts, Zap; Romalders Barch, Esmond.

Senator Miklethun moved that the Senate do now recess until 1:45 tomorrow.

Which motion prevailed.

F. E. TUNELL,
Secretary.

FIFTY-SECOND DAY AFTER RECESS AND THE
FIFTY-THIRD DAY

Senate Chamber,
Bismarck, North Dakota,
March 1, 1935.

The Senate convened at 1:45 o'clock P. M., President pro tem. Marshall presiding.

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. 124. A Bill for an Act Declaring Water and/or Wildlife Conservation to Be a State Purpose, Providing the Board of University and School Lands with the Authority to Grant to the United States of America, or to Any of Its Instrumentalities or Agencies, Any and All Easement Rights as Shall Be Required for the Construction, Maintenance and Operation of Water and/or Wildlife Conservation Projects to Be Constructed on the Public Lands of the State of North Dakota, Declaring That Such Water and/or Wildlife Conservation Projects Shall Be Considered as a Benefit to Said Lands and Not to Diminish the Value or Purchase Price Thereof, Repealing Any and All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 26, 27, 31, 32 and 33 of Chapter 164, of the Session Laws for 1933, Relating to Regulation of Motor Vehicle Transportation, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 139. A Bill for an Act Making an Appro-

ropriation to Meet a Deficiency in the Appropriation Made to the Board of Pardons for the Biennium period expiring June 30, 1935, and Declaring an Emergency.

Also,

Senate Bill No. 140. A Bill for an Act Making an Appropriation to the Attorney General to Repay Money Borrowed from The Bank of North Dakota to Pay Expenses Incurred for Fees and Disbursements in Certain Tax Litigations, and Declaring an Emergency.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 33. 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 1923, the Same Being Sections 2790a1-2790a18 of the Supplement to the 1913 Compiled Laws of North Dakota.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 83. A Bill for an Act Making an Appropriation for the Purchase of Certain Lots Within the Plat of Capitol Park Adjoining the Capitol Buildings in the City of Bismarck, North Dakota, and Providing for Method of Disbursements Thereof.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 84. A Bill for an Act Making an Appropriation for the Payment of Rent Due for Offices Occupied by State Officers and for Which no Prior Appropriation was Made Available, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 136. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend from the Present Sewerage System of the State Training School to Connect with the Syndicate Sewer of the City of Mandan; Making an Appropriation Therefor; and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Corporations other than Municipal made the following report:

Mr. President: Your Committee on Corporations other than Municipal to whom was referred:

House Bill No. 231. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 128 of the Session Laws of the State of North Dakota for the Year 1925, Being Section 3163A4 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to Dance Permits.

Have had the same under consideration and recommend that the same do pass.

HARRY C. LYNN,
Chairman.

Senator Lynn moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Cities and Municipal Corporations made the following report:

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

House Bill No. 146. A Bill for an Act Providing for the Revision and Passage of Village Ordinances.

Have had the same under consideration and recommend that the same do pass.

G. A. JONES,
Chairman.

Senator Jones moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Cities and Municipal Corporations made the following report:

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

House Bill No. 145. A Bill for an Act to Amend and Re-enact Section 3684a10 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to the City Budget Law.

Have had the same under consideration and recommend that the same do pass.

G. A. JONES,
Chairman.

Senator Jones moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Cities and Municipal Corporations made the following report:

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

House Bill No. 143. A Bill for an Act to Amend and Re-enact Section 3803 Compiled Laws of North Dakota for 1913 Relating to Vacancies in the Offices in Cities Under the Commission Form of Government.

Have had the same under consideration and recommend that the same do pass.

G. A. JONES,
Chairman.

Senator Jones moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927 and Chapter 74, Laws of 1929.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 15. A Bill for an Act Making an Appropriation for the Care of Feeble Minded Whose Residence Cannot be Determined and Whose Care Must be Borne by the State.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 20. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 19. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 18. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 17. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Carrying out the Provisions of Chapter 203, Session Laws 1919, and Chapter 115, Session Laws 1921, the Same Being Sections 1471b1 and 1471b9 and 1471c1 to 1471c8 of the Supplement to the 1913 Compiled Laws of North Dakota.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 32. 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 Chapters 26 and 152, Session Laws of 1915, the Same Being Sections 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 9. A Bill for 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.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 10. 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.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 11. 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.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 12. 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 1917, the Same Being Section 663a1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 14. 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.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 339. A Bill for an Act Reducing, Defining and Limiting the Permanent Surplus Fund of the State Hail Insurance Department to Three Million (\$3,000,000) Dollars; Declaring the Reasons for Such Limitations Thereon; Providing the Manner of Disbursement and Refunding of Moneys in Excess of Said Sum; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the title and insert in lieu thereof the following:

WHEREAS, under the statutes of the State of North Dakota enacted pursuant to constitutional authority there has been created a State Hail Insurance Department of this State and a Permanent Surplus Fund for the prompt payment of hail losses, and

WHEREAS, there is contained in said Permanent Surplus Fund, first created by Chapter 77, Session Laws of North Dakota for 1921, as shown by the records of the State Hail Insurance Department, being public records of the State of North Dakota, as of December 31, 1934, the sum of \$4,038,865.41, after setting aside a reserve fund of \$779,000 for uncollected taxes, and

WHEREAS, after more than ten years' experience it has been determined to be an established fact, shown by the records of the State Hail Insurance Department and of the State Treasurer of the State of North Dakota, that the aforesaid Permanent Surplus Fund in the amount now contained therein is substantially in excess of that required or which may be required for the purpose for which it was created, and that such surplus over and above the requirements of said Surplus Fund to carry out the purpose for which said fund was created is not less than \$1,038,865.41, and

WHEREAS, the experience of the State Hail Insurance Department, as shown by its public records and reports over a period of the last ten years, discloses and establishes that the highest demand upon the said Permanent Surplus Fund for the prompt payment of hail losses in any one of said years was the sum of \$2,571,000, and that the average year's demand upon said fund for the said ten-year period was the sum of \$1,266,000, and

WHEREAS, an exhaustive study of the prospective future demands upon said Permanent Surplus Fund has been made, taking into consideration the past experience of the said Hail Insurance Department in administering the State Hail Insurance Act, the past demands upon said Permanent Surplus Fund, the insurable acreage of this State, the average hail losses over a long period of years, the average acreage withdrawals, the yearly and average of hail indemnity tax payments, the effect upon said Permanent Surplus Fund of proposed legislative changes in the existing hail insurance law, and all other known pertinent factors affecting or which might affect the said Permanent Surplus Fund, and

WHEREAS, from a careful consideration and study of all the foregoing facts this Legislative Assembly concludes and finds that the Permanent Surplus Fund aforesaid for the payment of all claims and demands present and future against it exceeds by \$1,038,865.41 the amount needed and necessary to carry out the original purpose for which said fund was created, and that to the extent of \$1,038,865.41 there is a permanent surplus in said Permanent Surplus Fund which is not needed or necessary to carry out the original purpose for which said fund was created, and which said surplus in said fund cannot at this time or in the future be used for such original purpose, and in fact is an unexpended balance over and in excess of any claim or demand, present or future, which may be made against said Permanent Surplus Fund, and

WHEREAS, an emergency exists in this that due to crop failures and a world-wide depression there is insufficient money available through the normal tax statutes of the State of North Dakota to keep open and properly maintain the public school system of this State and that unless immediate and direct help be given, many of the elementary public schools within this State will cease to function, now therefore,

Be It Enacted by the Legislative Assembly of the State of North Dakota:

Section 1. PERMANENT SURPLUS FUND; TRANSFER AND/OR REFUND.) There is hereby created, defined and shall hereafter be maintained a permanent surplus in the sum of Three Million (\$3,000,000) Dollars in the State Hail Insurance Fund, for the purpose of carrying out the provisions of this Act, and to enable the State Hail Insurance Department to pay hail losses promptly. All funds in such permanent hail insurance fund on December 31, 1934, in excess of Three Million (\$3,000,000) Dollars shall be transferred or refunded by the Commissioner of Insurance in the manner herein provided.

Forthwith after the taking effect of this Act it shall be the mandatory duty of the Commissioner of Insurance to pay all of such funds in said permanent surplus fund in excess of Three Million (\$3,000,000) Dollars, as shown by the books of the State Hail Insurance Department as of December 31, 1934, namely, One Million, Thirty-eight Thou-

sand, Eight Hundred Sixty-five Dollars and Forty-one Cents (\$1,038,865.41) to the State Treasurer to be by him credited to the State Equalization Fund, created and established by Chapter 229, Session Laws of 1933, and acts mandatory thereof or supplemental thereto, or to any fund which may be established and created to replace such State Equalization Fund; provided, however, that should the aforesaid allocation or distribution of such transfer from said fund be held to contravene the provisions of the Constitution, then and in that event said \$1,038,865.41, after such determination by the Supreme Court of this State, shall be paid to the treasurer of the several counties of the state in the following proportions: such payment to each of the said county treasurers shall be an amount bearing the same ratio to the total amount paid to all county treasurers as the number of acres of tillable land upon which the one cent per acre flat tax was levied in the year 1927 in such county bears to the total number of acres so taxed in the entire state in the year 1927. Upon receipt of such payment, it shall be the duty of each county treasurer to refund such payments, by crediting upon his tax records each tract of land upon which such flat tax was levied in the year 1927, its pro-rata share of the sum so paid to the county treasurer, which credit shall be applied in payment of any outstanding school taxes due on said land in the reverse order of the years in which such taxes were levied, to the extent of the amount of such credit; provided that if there are no outstanding school taxes upon any part of such land, such credit shall be applied as a credit against any school taxes subsequently levied thereon; provided further, that if there are any unpaid flat hail taxes due on any part of such land, such credit shall first be applied in its entirety against such unpaid outstanding flat hail taxes and the overage, if any, shall be credited against outstanding school taxes; provided, however, that should the allocation or distribution of such refund of taxes, be held to contravene the provisions of the Constitution, then and in that event, such refunded hail taxes, after any such holding by the Supreme Court, shall be paid to the then record owner of the land, or his legally qualified agent, against which such flat tax was levied; upon such owner, or his so qualified agent, presenting written application therefor with proof of such ownership, to the treasurer of the county within which such land is located; within thirty days after any such decision; provided, however, that if such record owner or his so qualified agent, fail to make such application and present such proof within such time then and in that event, such refunded hail tax shall be credited to flat hail taxes and school taxes as hereinbefore provided.

Provided further, that in cases where the said refund payment accrues to land, the title of which is in the state or in any board or agency thereof, or in the county, the refund accruing to such land shall be paid into the general fund of the school district in which such land is located.

Provided further, that in cases where lands have been sold for taxes to individuals, that the refund shall not be applied to such taxes so sold but shall be applied to the payment

of the unpaid taxes subsequent thereto, in the reverse order of their becoming due and delinquent.

Section 2. SAVING CLAUSE.) It is hereby declared that if any of the provisions of this Act in any manner contravene the provisions of the Constitution, the remaining provisions would have been enacted by this Legislative Assembly even though such provision has been eliminated from the Act. Hence, if any of the provisions are found to be violative of the Constitution, the remaining provisions shall not be affected by such invalidity but shall remain in full force and effect.

Section 3. REPEAL.) All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 4. EMERGENCY.) This Act is declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

And when so amended return the same without recommendation.

A. F. BONZER, Jr.,
Chairman.

Senator Cain moved that House Bill No. 339 be placed upon the calendar.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 359. A Bill for an Act to Authorize, Direct and Empower the State Board of Administration to Provide, Furnish and Equip a Room in the State Capitol Office Building for the Exclusive Use of Representatives of Accredited Press Associations and Daily Newspapers.

Have had the same under consideration and return the same without recommendation.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted, and House Bill No. 359 was placed upon the calendar.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 168. A Bill for an Act to Require the Appraising of the Use of Butter Substitutes on Popcorn Sold or Offered for Sale and Providing Penalties for Violation.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

SENATE CONCURRENT RESOLUTION A-h

A Concurrent Resolution Relative to Embargo on Farm Products.

Have had the same under consideration and recommend that the same be adopted.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 298. A Bill for an Act Requiring Safety Shatter-proof Glass in Taxis, Passenger and Automotive School Busses.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 29 of Chapter 160 of the 1933 Session Laws, Relating to Registration of Motor Vehicles.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 167. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 111 of the 1933 Session Laws Known as the "Flour Label Act."

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

HOUSE CONCURRENT RESOLUTION NO. A-12

Have had the same under consideration and recommend that the same be adopted.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

HOUSE CONCURRENT RESOLUTION A-18

Have had the same under consideration and recommend that the same be adopted.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

HOUSE CONCURRENT RESOLUTION NO. A-16

Have had the same under consideration and recommend that the same be adopted.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 221. A Bill for an Act Granting Easements to the United States for Rights of Way Over Lands Owned by the State of North Dakota for Ditches, Dams, Dikes, Fills, Spillways, or Other Structures Now Constructed or to Be Constructed by the United States of America, Its Instrumentalities or Agencies, for the Purpose of Water and/or Wildlife Conservation.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 206. A Bill for an Act Fixing the Maximum Annual Salary Which May Be Paid the Assistant Dairy Commissioners, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 174. A Bill for an Act to Amend and Re-enact Sections 9, 11 and 36 of Chapter 179 of the Session Laws of North Dakota for the Year 1927 as Amended by Sections 4, 5 and 12 of Chapter 160 of the Session Laws of North Dakota of 1933; Having to Do With the Applications for Registration of Motor Vehicles, Duties of Registrar,

Registration Cards and Certificate of Application for License Made.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 115. A Bill for an Act to Repeal All of Article 7a of Chapter 43 of the Political Code as Found in the 1925 Supplement to the 1913 Compiled Laws with All Amendments Thereof, Relating to State Transportation Officer. Repeal.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 197. A Bill for an Act to Repeal Section 2, of Chapter 106 Session Laws of North Dakota 1927, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 278. A Bill for an Act Authorizing the State of North Dakota to Manufacture, at its Own Cost, for its Own Use, the Hoiland Economy Road Planer, and Pay the Patentee, Albert Hoiland, the sum of \$5.00 for Each Planer so Manufactured and Used.

Have had the same under consideration and recommend that the same be amended as follows:

On page 2 of the printed bill, Section 2, line 7, strike out the words "planes to" and insert in lieu thereof the words "planers may."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 289. A Bill for an Act to Amend and Re-enact Subdivision 4 of Section 4 and Sections 13 and 14 of Chapter 97 of the Session Laws of 1933.

Have had the same under consideration and recommend that the same be amended as follows:

4. Each male person and each unmarried female over the age of twenty-one years, who shall have resided one year continuously in any county in this state, shall thereby gain a residence in such county. Every person who has resided one year continuously in the state, but not in any one county, shall have a settlement in the county in which he has longest resided within such year. Each minor whose parents and each married woman whose husband has no residence in this state, who shall have resided one year continuously in the state, but not in any one county, shall have a settlement in the county in which he has longest resided within such year. Every minor not emancipated and settled in his own right shall have the same settlement as the parent with whom he has last resided. The time during which a person has been an inmate of a hospital, poor house, jail, prison, or other public institution, and each month during which he has received relief from the poor fund of any county, and/or from funds provided by the state and/or by the Federal Government, or has received Mother's Pension, shall be excluded in determining the time of residence hereunder.

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 243. A Bill for an Act Permitting Deduction of Delinquent Personal Property Taxes from Claims, Demands, Salaries and Wages Due from County Officers and Others; Prescribing Duties of County Auditor in Connection Therewith; Giving Such Deduction Priority Over Any Sale, Transfer or Assignment of Such Claim, Demand, Salary and Wage; Repealing Section 4227 of the Compiled Laws of North Dakota 1913 and All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 347. A Bill for an Act Relating to Relief and Rehabilitation Work Carried on in North Dakota by the Federal Emergency Relief Administration Through the North Dakota Rural Rehabilitation Corporation; Exempting From Taxation Moneys and/or Credits Coming Into the Possession of or Belonging to the North Dakota Rural Rehabilitation Corporation as a Result of Any Federal Grant or Gift for Relief or Rehabilitation Purposes, and Authorizing the State Treasurer, in Event of Dissolution of the North Dakota Rural Rehabilitation Corporation, to Accept Funds and Property on Hand or Belonging to the Corporation at the Time of Dissolution.

Have had the same under consideration and recommend that the same be amended as follows:

In line 5, Section 3 of the printed Bill, strike out the word "legislature," and insert in lieu thereof the word "legislative."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 265. A Bill for an Act to Cancel All Interest and Penalty, Levied and Assessed Against Delinquent Real Estate Taxes and Providing for Redemption of Real

Estate Sold or Forfeited to the County for the Years 1933, and All Prior Years, and Still Held by the County, Without Paying Interest or Penalty, if Said Taxes Are Paid During the Year 1935; Repealing All Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3, Section 1 of the printed Bill, after the word "tax," strike out the word "and," and insert the following in lieu thereof: "but excepting."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 250. A Bill for an Act Validating Certain County Warrants for Poor Relief Issued Under and by Virtue of Section 4, Chapter 98 of Session Laws of North Dakota for 1933, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred.

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5, of Chapter 235 of the Session Laws of 1929, as Amended by Chapter 297 of the Session Laws of 1931, Relating to Tax Levy, Limitations of Cities.

Have had the same under consideration and recommend that the same be amended as follows:

On line eight of the printed Bill, after the word "and," insert the word "or."

On line nine of the printed Bill, after the word "that," strike out the words "levies not to exceed sixteen," and insert in lieu thereof the following words: "an additional levy not to exceed two."

On line 10, at the end of the printed Bill, strike out the "period" and add the following words: "for those purposes."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 154. A Bill for an Act Requiring Deduction of Delinquent Personal Property Taxes From Salaries or Other Compensation of Elective and Appointive Officers, Agents and Employees of the State of North Dakota, All Bureaus, Boards, Commissions and Departments, and All Persons receiving Public Funds.

Have had the same under consideration and recommend that the same be amended as follows:

On line 10 of the engrossed Bill, after the word "taxes," strike out the words "due or."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The President pro tem. called Senator Cain to the chair to preside.

Senator Marshall moved that the officers of the National Guard be invited to march into the Senate Chamber and be presented by the presiding officer.

Which motion prevailed.

Senator Cain: "I wish to present the officers of the National Guard."

Adjutant General Baker: "Members of the Senate, I would like to introduce to you Brigadier-General David S. Ritchie of Valley City who will present the officers."

Brigadier-General Ritchie: "Members of the North Dakota Senate: It comes as a great pleasure to me who has served over thirty years in this organization, to have an opportunity for the first time in my life and in my service, to show to the legislative bodies of the State of North Dakota, the officers of the National Guards and their instructors who have been carrying on the work of military training in this state under the appropriations given us by these bodies and by the United States Government. I want to say to you this; each of them is a citizen of the United States, a resident of

the State of North Dakota, most every one having been reared in North Dakota. Each and every one have risen from the ranks; they enlisted as privates and have worked up to the positions which they now hold. These men are opposed to war, but they are believers in the theory that a proper preparation is the greatest safeguard to peace and so they carry on. They are here without pay simply to engage in an officers' school whereby the national theories and those things which make for efficiency may be discussed by them in order to better themselves to give to the State, of which they are a part and which they represent, and to the government, that service to which it is entitled from its citizenship.

We want to thank you for the support this body has always given to the North Dakota National Guards. The Senate of North Dakota, and the House, too, have always been wonderfully fine to us. True, we grant you, we have always asked for more money than we have ever received and we think we could have used it had you given it to us, but we believe in cooperation and we functioned under what you have appropriated and we are thankful that you realize our worth enough so that you feel us worthy of an appropriation.

Mr. President and members of the Senate, we give you thanks for this reception."

Senator Marshall moved that the Senate give the officers of the National Guard a rising vote of thanks for presenting themselves to this body.

Which motion prevailed, and a rising vote of thanks was extended.

Senator Cain: "Brigadier-General Ritchie we thank you for bringing the officers in and we want you to know that the Senate appreciates the opportunity of meeting the officers of the National Guards."

The Committee on Taxes and Tax Laws made the following report:

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 156. A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for the Years 1935 and 1936 for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

Have had the same under consideration and recommend that the same be amended as follows:

At the end of the title of the printed Bill, strike out the period and insert a "comma," and the following language: "and declaring an emergency."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 161. A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled Laws, as Amended by Chapter 247 of the Session Laws of 1933, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 202. A Bill for an Act Amending and Re-enacting Chapter 94, Session Laws of the State of North Dakota for the Year 1933.

Have had the same under consideration and recommend that the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 79. A Bill for an Act to Provide for Fraud or Fraudulent Concealment of Facts Constituting a Cause of Action, to Postpone or Toll the Running of the Statute of Limitations.

Have had the same under consideration and recommend that the same be amended as follows:

On page 1, of the printed bill, Section 1, end of line 6, following the word "diligence," strike out the period and insert in lieu thereof a comma and add the following: "and the action may be commenced within one year thereof."

On page 2, Section 2, line 2, strike out the word "may," and insert in lieu thereof the word "shall." In the same line after the word "established," insert the following words: "to the satisfaction of the trial court."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Fowler moved that the Committee report on House Bill No. 79 be amended as follows:

Strike out the word "thereof," and insert in lieu thereof the word "thereafter."

Which motion prevailed.

Senator Bonzer moved that the report as amended be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

House Bill No. 179. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 235 of the 1933 Session Laws Prescribing and Limiting the Time to Which Basic Text Books May Be Changed in the Schools and Educational Institutions in This State.

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.

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

House Bill No. 92. A Bill for an Act to Amend and Re-enact Section 1176 of the Compiled Laws of 1913, Relating to Furniture, Maps, Register and School Library to be Furnished.

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.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 30. A Bill for an Act Making an Appropriation for the use by the Board of Administration in Administering Child Welfare Laws.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the engrossed bill strike out the figures "\$9,300.00" and insert in lieu thereof the figures "\$15,280.00."

In line 10 of the engrossed bill, strike out the figures "2,160.00" and insert in lieu thereof the figures "2,640.00"

In line 12 of the engrossed bill, strike out the figures "200.00" and insert in lieu thereof the figures "300.00"

In line 13 of the engrossed bill, strike out the figures "150.00" and insert in lieu thereof the figures "250.00."

In line 14 of the engrossed bill, strike out the figures "150.00" and insert in lieu thereof the figures "200.00."

In line 15 of the engrossed bill, strike out the figures "400.00" and insert in lieu thereof the figures "650.00."

After line 16 of the engrossed bill add the following:
"16½ For Physically Handicapped Children 5,000.00."

In line 17 of the engrossed bill, strike out the figures "\$9,300.00 and insert in lieu thereof the figures "\$15,280.00."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,

Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 60. 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 engrossed bill, strike out the figures "\$206,845.00" and insert in lieu thereof the figures "\$209,845.00."

In line 28 of the engrossed bill, item "Hospital and medical service," strike out the figures "8,000.00" and insert in lieu thereof the figures "10,000.00."

In line 30 of the engrossed bill, strike out the figures "7,000.00" and insert in lieu thereof the figures "8,000.00."

In line 35 of the engrossed bill, strike out the figures "\$202,445.00" and insert in lieu thereof the figures "\$205,445.00."

In line 37 of the engrossed bill, strike out the figures "\$186,945.00" and insert in lieu thereof the figures "\$189,945.00."

In line 58 of the engrossed bill strike out the figures "\$206,845.00" and insert in lieu thereof the figures "\$209,845.00."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Stucke moved that the Senate do now adjourn.

Which motion prevailed.

FIFTY-THIRD DAY

Senate Chamber,
Bismarck, North Dakota,
March 1, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. Hildebrand.

Roll Call: All Senators were present except Senator Nelson of Grand Forks.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-first day after recess and Fifty-second day and recommend that the same be corrected as follows:

On page 6, line 12, following the figures "158" insert the following "as amended."

On page 20, line 27, strike out the figures "196" and insert in lieu thereof the figures "169."

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

Senator Owings moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A petition presented by Senator Ettestad, signed, Rev. Wilson W. White, of the Evangelical Church, in opposition to hard liquor legislation.

A petition presented by Senator McDonald, signed, Mrs. Henry Larson, and sixteen others, in opposition to hard liquor legislation.

A petition presented by Senator Lind, signed, Mrs. John Puherson, and forty-five others, in opposition to hard liquor.

Referred to the Committee on Temperance.

A petition presented by Senator Whelan, signed, A. O. Tetraulb, President of the Walhalla Civic club, asking for a water conservation power dam on the Pembina river.

A petition presented by Senator Ettestad, signed Gottfrid Johnson, Velva, N. Dak., asking an old age pension.

Referred to the Committee on State Affairs.

A petition presented by Senator Greene of Stutsman, signed, Mrs. R. M. Poindexter, of Washington Parent Teachers Association regarding education.

Referred to the Committee on Education.

A petition presented at the desk, signed, Adames Kingzeth in opposition to House Bill No. 290.

Referred to the Committee on Livestock.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 1, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 72. A Bill Providing for the Investment of Trust Funds of Executors, Administrators and Guardians and Procedure Required, and Declaring an Emergency.

Which the Senate has amended as shown in the Senate Journal of Feb. 21, page 38.

Also,

House Bill No. 169. A Bill for an Act to Amend and Re-enact Chapter 120, Session Laws of the State of North Dakota for 1933, Relating to the Disposition of Money Collected by the Game and Fish Commission; Providing for the Conservation of Water, and the Construction of Dams Within the State.

Which the Senate has amended as shown in the Senate Journal of Feb. 28, page 20.

Also,

House Bill No. 64. A Bill for an Act to Amend and Re-enact Section 35 of Chapter 148 of the 1931 Session Laws, Relating to the Bag and Possession Limits on Protected Game Birds.

Which the Senate has amended as shown in the Senate Journal of Feb. 18, page 42.

Also,

House Bill No. 158. A Bill for an Act to Amend Section 2817 of the Compiled Laws of North Dakota for the Year 1913 Relating to Noxious Weeds, the Definition of Noxious Weeds and the Manner of Destroying the Same.

Which the Senate has amended as shown in the Senate Journal of Feb. 28, page 5.

Also,

House Bill No. 93. A Bill for an Act to Amend and Re-enact Section 6756 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Form of Chattel Mortgages.

Which the Senate has amended as shown in the Senate Journals of Feb. 25, on page 111, and Feb. 28, on page 18.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 1, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 134 of the 1927 Session Laws Relating to the Return and Disposition of Election Ballots and Compensation of Election Officers.

Also,

House Bill No. 139. A Bill for an Act to Amend and Re-enact Sections 2003a1 and 2003a2 of the 1925 Supplement to the 1913 Compiled Laws Relating to the Cutting of Noxious Weeds on Highways.

Also,

House Bill No. 148. A Bill for an Act to Amend and Re-enact Section 1009 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Abstract of Vote; Canvass of Vote; Certificate of Election; Tie How Decided; Publication of Abstract; and Providing for Compensation.

Which the Senate has passed unchanged.

Also,

HOUSE CONCURRENT RESOLUTION "A-15"

Which the Senate has adopted unchanged.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 1, 1935.

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate on Senate Bill No. 163, Representatives: Beggs, Place and Holte.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

REPORT OF STANDING COMMITTEES

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 97. A Bill for an Act to Amend and Re-enact Chapter 19 of the Political Code of the Compiled Laws of North Dakota for the Year 1913, Relating to the North Dakota Firemen's Association and Providing an Appropriation for the Use of Such Association in Promoting Regional Fire Schools, and Other Activities of Such Association.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

HOUSE CONCURRENT RESOLUTION A-13

Providing for the Amendment of Section 158 of Article 9 of the Constitution of North Dakota as Amended by Article 13 of the Amendments Thereof, Relating to School and Public Lands.

Have had the same under consideration and recommend that the same be adopted.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 1, 1935.

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.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 163 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 163. A Bill for an Act Making an Appropriation to the University of North Dakota to Meet a Deficiency in the Appropriation for the Biennium Expiring June 30, 1935, for the Public Health Laboratories; and Declaring an Emergency.

Have had the same under consideration and recommend:

That the Senate do concur in the House Amendments to Senate Bill 163.

For the Senate:

L. O. FREDRICKSON,
JOHN L. MIKLETHUN,
ED. GREENE.

For the House:

W. S. PLACE,
ARLO E. BEGGS,
M. H. HOLTE.

Senator Fredrickson moved that the report be adopted, and the Conference Committee discharged, which motion prevailed and the report was adopted.

Senator Fredrickson moved that the rules be suspended and that Senate Bill No. 163 as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 163. A Bill for an Act Making an Appropriation to the University of North Dakota to Meet a Deficiency in the Appropriation for the Biennium Expiring

June 30, 1935, for the Public Health Laboratories; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of Senate Bill No. 163, 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.
Bonzer	Greene, Stutsman	Mutchler
Braaten	Gronvold	Nelson, Barnes
Brostuen	Handley	Owings
Cain	Johnson	Peterson
Coffey	Jones	Strehlow
Crandall	Kamrath	Stucke
Drew	Kolpin	Thatcher
Dubay	Kroeber	Thorson
Eastgate	Lemke	Topp
Erickson	Lind	Trout
Ettestad	Lowe	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Wog
Greene, Cavalier	Miklethun	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lynn	Nelson, Grand Fks.	Whelan
McGillic		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 1, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 128. A Bill for an Act to Promote the Objects of the Act of Congress of the United States Entitled, "National Housing Act," approved June 27, 1934, and Acts Amendatory Thereof or Supplemental Thereto, by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, and Insurance Companies, to Make Loans Pursuant to Title I and II of the National Housing Act, and by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Subdivisions, and Institutions and Agencies Thereof, and All

Other Persons, Associations and Corporations, Subject to the Laws of This State, to Invest in Mortgages Insured, and in Debentures Issued, by the Federal Housing Administrator, and to Invest in Securities of National Mortgage Associations or Similar National Mortgage Credit Institutions Now or Hereafter Organized Under Title III of the National Housing Act, and by Excepting Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Sub-divisions, and Institutions and Agencies Thereof, and All Other Persons, and Associations, Subject to the Laws of This State from the Application of Laws of This State Requiring Security Upon Which Loans or Investments May Be Made, or Limiting Making of Loans to Shareholders or Members of the Lender, or Prescribing the Nature, Amount or Form of Such Security, or Limiting or Prescribing the Interest Rates Upon Loans or Investments, or the Period for Which Loans or Investments May Be Made, Provided Such Loans, Securities or Investments Are Insured by the Federal Housing Administrator, and Providing for Invalidity, and Declaring an Emergency to Exist.

Also,

Senate Bill No. 184. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys and Girls Club Work at State and District Fairs.

Also,

Senate Bill No. 149. A Bill for an Act to Create a State Planning Board, Prescribing the Powers and Duties Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 148. A Bill for an Act Appropriating the Sum of Thirty Thousand (\$30,000.00) Dollars, or so Much Thereof as May Be Required, to Reimburse the Bank of North Dakota for Certain Funds Loaned to the State Historical Society, for the Purpose of Purchasing State Park Lands.

Also,

Senate Bill No. 220. A Bill for an Act to Suspend the Operating of Chapter 24 of the Political Code of the State of North Dakota for the Year 1913, Being Sections 1889 to 1902 Both Inclusive of Said Compiled Laws, Relating to the Enumeration of Inhabitants in the State of North Dakota, and Declaring an Emergency.

Also,

Senate Bill No. 172. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts

of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Also,

Senate Bill No. 232. A Bill for an Act to Make an Appropriation to Provide for Payment of a Deficit in the Maintenance of the National Guard Fund.

Which the House has passed unchanged.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 1, 1935.

Mr. President: I have the honor to return herewith the following:

SENATE CONCURRENT RESOLUTION No. Z

Also,

Senate Bill No. 137. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 89 of the Session Laws of the State of North Dakota for the Year 1933, Relating to Prohibition Against Corporation Farming, and Declaring an Emergency.

Also,

Senate Bill No. 147. A Bill for an Act Creating a State Board to Be Known as "State Council of Public Safety," Purpose, Appointment of Members, Term of Office, Duties of Council and How Financed.

Also,

Senate Bill No. 243. A Bill for an Act to Amend and Re-enact Section 10606, Compiled Laws of 1913, Relating to Preliminary Examinations of Persons Accused of Crime, and Permitting the Defendant to Make Unsworn Statements in Answer to the Charge Against Him.

Also:

Senate Bill No. 266. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Re-touch and Repair the Portraits and Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation, and Declaring an Emergency.

Which the House has indefinitely postponed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Peterson moved that House Bill No. 210 be referred to the Committee on Taxes and Tax Laws.

Which motion prevailed.

Senator Gronvold moved that the absent Senator be excused.

Which motion prevailed.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 26, 27, 31, 32 and 33 of Chapter 164, of the Session Laws for 1933, Relating to Regulation of Motor Vehicle Transportation, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 124. A Bill for an Act Declaring Water and/or Wildlife Conservation to Be a State Purpose, Providing the Board of University and School Lands with the Authority to Grant to the United States of America, or to Any of Its Instrumentalities or Agencies, Any and All Easement Rights as Shall Be Required for the Construction, Maintenance and Operation of Water and/or Wildlife Conservation Projects to Be Constructed on the Public Lands of the State of North Dakota, Declaring That Such Water and/or Wildlife Conservation Projects Shall Be Considered as a Benefit to Said Lands and Not to Diminish the Value or Purchase Price Thereof, Repealing Any and All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 139. A Bill for an Act Making an Appropriation to Meet a Deficiency in the Appropriation Made to the Board of Pardons for the Biennium period expiring June 30, 1935, and Declaring an Emergency.

Also,

Senate Bill No. 140. A Bill for an Act Making an Appropriation to the Attorney General to Repay Money Borrowed from The Bank of North Dakota to Pay Expenses Incurred for Fees and Disbursements in Certain Tax Litigations, and Declaring an Emergency.

And the President signed the same in presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 1, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 26, 27, 31, 32 and 33 of Chapter 164, of the Session Laws for 1933, Relating to Regulation of Motor Vehicle Transportation, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 124. A Bill for an Act Declaring Water and/or Wildlife Conservation to Be a State Purpose, Providing the Board of University and School Lands with the Authority to Grant to the United States of America, or to Any of Its Instrumentalities or Agencies, Any and All Easement Rights as Shall Be Required for the Construction, Maintenance and Operation of Water and/or Wildlife Conservation Projects to Be Constructed on the Public Lands of the State of North Dakota, Declaring That Such Water and/or Wildlife Conservation Projects Shall Be Considered as a Benefit to Said Lands and Not to Diminish the Value or Purchase Price Thereof, Repealing Any and All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 139. A Bill for an Act Making an Appropriation to Meet a Deficiency in the Appropriation Made to the Board of Pardons for the Biennium period expiring June 30, 1935, and Declaring an Emergency.

Also,

Senate Bill No. 140. A Bill for an Act Making an Appropriation to the Attorney General to Repay Money Borrowed from The Bank of North Dakota to Pay Expenses Incurred for Fees and Disbursements in Certain Tax Litigations, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 1, 1935.

Mr. President: I have the honor to return:

Senate Bill No. 85. A Bill for an Act Providing for Means and Method of Obtaining Service Upon a Non-resident Using the Highways of the State of North Dakota, and Providing the Time Within Which Such Defendant May Answer.

Which the House has amended as follows:

House Amendments found in House Journal of February 21, 1935, page 63.

In Section 1, at end of line 12, insert the word "him."

In Section 1, line 18, after the word "by," insert the word "registered."

In Section 1, line 18, after the word "address," insert the following words "and return cards requested."

And the further amendments:

Amend the report of the Standing Committee as follows:

Amendments made upon printed bill as found in Senate Journal pages 16 and 17, in the Senate Journal of Feb. 14th.

In line 14, Section 1, as printed in Senate Journal, Feb. 14, pages 16 and 17, between the words "upon" and "personally" insert the word "him."

In line 20, Section 1, between the words "by," and "mail," insert the word "registered."

In line 21, Section 1, following the word "address," insert the words "and return card requested."

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Miklethun moved that the Senate do concur in the House amendment to Senate Bill No. 85.

Which motion prevailed.

Senator Miklethun moved that the rules be suspended and that Senate Bill No. 85 as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 85. A Bill for an Act Providing for Means and Methods of Obtaining Service Upon a Non-resident Using the Highways of the State of North Dakota, and Providing the Time Within Which Such Defendant May Answer.

Was read the second time.

ROLL CALL

The question being on the final passage of Senate Bill No. 85, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	McDonald
Braaten	Gronvold	McGillie

Messrs.	Messrs.	Messrs.
Brostuen	Handley	Miklethun
Coffey	Johnson	Mutchler
Crandall	Jones	Nelson, Barnes
Drew	Kamrath	Owings
Dubay	Kolpin	Peterson
Eastgate	Kroeber	Strehlow
Erickson	Lemke	Stucke
Ettestad	Lind	Thorson
Fine	Lowe	Topp
Fowler	Lynn	Trout
Fredrickson	Marshall	Vinje
Greene, Cavalier	Matthaei	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Trovatten	Whelan
Nelson, Grand Fks.	Watt	Young
Thatcher		

So the bill passed and the title was agreed to.

SECOND READING OF HOUSE BILLS

HOUSE CONCURRENT RESOLUTION A-10

Senator Stucke moved that House Concurrent Resolution A-10 be adopted, which motion prevailed and the Resolution was adopted.

House Bill No. 33. 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 1923, the Same Being Sections 2790a1-2790a18 of the Supplement to the 1913 Compiled Laws of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 36; nays, 8; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	McDonald
Braaten	Gronvold	Miklethun
Brostuen	Handley	Mutchler
Cain	Johnson	Nelson, Barnes
Drew	Kolpin	Peterson
Dubay	Kroeber	Stucke
Eastgate	Lemke	Topp
Ettestad	Lind	Trovatten
Fine	Lowe	Vinje
Fowler	Lynn	Watt
Fredrickson	Marshall	Whelan
Greene, Cavalier	Matthaei	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Crandall	Kamrath	Trout
Erickson	Owings	Wog
Jones	Thorson	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Coffey	Nelson, Grand Fks.	Thatcher
McGillic	Strehlow	

So the bill passed and the title was agreed to.

The President pro tem. called Senator Stucke to the chair to preside.

House Bill No. 83. A Bill for an Act Making an Appropriation for the Purchase of Certain Lots Within the Plat of Capitol Park Adjoining the Capitol Buildings in the City of Bismarck, North Dakota, and Providing for Method of Disbursements Thereof.

Was read the second time.

ROLL CALL

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.
Brostuen	Handley	Owings
Cain	Johnson	Peterson
Coffey	Jones	Strehlow
Crandall	Lind	Stucke
Drew	Lowe	Thorson
Dubay	Lynn	Topp
Eastgate	Marshall	Trout
Erickson	Matthaei	Trovatten
Ettestad	McDonald	Vinje
Fredrickson	McGillic	Watt
Greene, Cavalier	Miklethun	Whelan
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Kolpin	Lemke
Fine	Kroeber	Wog
Kamrath		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Nelson, Grand Fks.	Thatcher
Fowler		

So the bill passed and the title was agreed to.

House Bill No. 84. A Bill for an Act Making an Appropriation for the Payment of Rent Due for Offices Occupied by State Officers and for Which no Prior Appropriation was Made Available, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold		

Those voting in the negative were:

Messrs.
Braaten

Absent and not voting:

Messrs. Messrs.
Nelson, Grand Fks. Thatcher

So the bill passed and the title was agreed to and the emergency clause declared carried.

House Bill No. 136. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend from the Present Sewerage System of the State Training School to Connect with the Syndicate Sewer of the City of Mandan; Making an Appropriation Therefor; and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	McGillic
Braaten	Handley	Miklethun
Cain	Johnson	Mutchler
Coffey	Kamrath	Nelson, Barnes
Crandall	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Stucke
Eastgate	Lind	Topp
Erickson	Lowe	Trovatten
Ettestad	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	Matthaei	Whelan
Greene, Cavalier	McDonald	Young
Greene, Stutsman		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Owings	Trout
Fine	Thorson	Wog
Jones		

Absent and not voting:

Messrs.	Messrs.
Nelson, Grand Fks.	Thatcher

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator McGillic moved that the vote by which House Bill No. 136 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 231. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 128 of the Session Laws of the State of North Dakota for the Year 1925, Being Section 3163A4 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to Dance Permits.

Was read the second time.

ROLL CALL

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.
Bonzer	Greene, Stutsman	Mutchler
Brostuen	Handley	Peterson
Cain	Johnson	Strehlow
Coffey	Jones	Thorson
Crandall	Kamrath	Topp
Drew	Kroeber	Trout

Messrs.	Messrs.	Messrs.
Dubay	Lind	Trovatten
Erickson	Lynn	Whelan
Ettestad	McDonald	Wog
Fowler	McGillic	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Kolpin	Nelson, Barnes
Eastgate	Lemke	Owings
Fine	Lowe	Stucke
Fredrickson	Marshall	Thatcher
Greene, Cavalier	Matthaei	Vinje
Gronvold	Miklethun	Watt

Absent and not voting:

Messrs.
Nelson, Grand Fks.

So the bill passed and the title was agreed to.

House Bill No. 146. A Bill for an Act Providing for the Revision and Passage of Village Ordinances.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 20; nays, 27; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Cain	Johnson	Topp
Coffey	Kroeber	Trovatten
Crandall	Lind	Vinje
Drew	McDonald	Whelan
Dubay	Miklethun	Wog
Ettestad	Owings	Young
Greene, Stutsman	Strehlow	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	McGillic
Braaten	Handley	Mutchler
Brostuen	Kamrath	Nelson, Barnes
Eastgate	Kolpin	Peterson
Erickson	Lemke	Stucke
Fine	Lowe	Thatcher
Fowler	Lynn	Thorson
Fredrickson	Marshall	Trout
Greene, Cavalier	Matthaei	Watt

Absent and not voting:

Messrs. Jones
Messrs. Nelson, Grand Fks.

So the Bill was declared lost.

Senator Erickson: "I see in this Bill an attempt to pass ordinances so the people will not know what is in them, and for that reason I vote No."

Senator Jones moved that Senate Bill No. 145 be placed at the foot of the calendar.

Which motion prevailed.

House Bill No. 143. A Bill for an Act to Amend and Re-enact Section 3803 Compiled Laws of North Dakota for 1913 Relating to Vacancies in the Offices in Cities Under the Commission Form of Government.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Marshall	Trout
Ettestad	Matthaei	Trovatten
Fine	McDonald	Vinje
Fowler	McGillic	Watt
Fredrickson	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Erickson	Lowe	Lynn
Greene, Cavalier		

Absent and not voting:

Messrs.	Messrs.
Nelson, Grand Fks.	Whelan

So the bill passed and the title was agreed to.

House Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927 and Chapter 74, Laws of 1929.

Was read the second time.

ROLL CALL

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.
Braaten	Gronvold	Miklethun
Brostuen	Handley	Mutchler
Cain	Johnson	Nelson, Barnes
Coffey	Jones	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lind	Thorson
Erickson	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Young
Greene, Stutsman		

Those voting in the negative were:

Messrs.
Owings

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Nelson, Grand Fks.	Wog
Kamrath	Whelan	

So the bill passed and the title was agreed to.

House Bill No. 15. A Bill for an Act Making an Appropriation for the Care of Feeble Minded Whose Residence Cannot be Determined and Whose Care Must be Borne by the State.

Was read the second time.

ROLL CALL

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.
Braaten	Gronvold	Mutchler
Brostuen	Handley	Nelson, Barnes
Cain	Johnson	Owings
Coffey	Jones	Peterson
Crandall	Kamrath	Strehlow
Drew	Kolpin	Stucke
Dubay	Kroeber	Thatcher

Messrs.	Messrs.	Messrs.
Eastgate	Lemke	Thorson
Erickson	Lind	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Young
Greene, Stutsman	Miklethun	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Nelson, Grand Fks.	Wog
Lowe	Whelan	

So the bill passed and the title was agreed to.

Senator Jones asked unanimous consent to place House Bill No. 145 at the head of the calendar.

Which request was granted.

House Bill No. 145. A Bill for an Act to Amend and Re-nact Section 3684a10 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to the City Budget Law.

Was read the second time.

ROLL CALL

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.
Bonzer	Greene, Stutsman	Miklethun
Braaten	Gronvold	Mutchler
Brostuen	Handley	Nelson, Barnes
Cain	Johnson	Owings
Coffey	Jones	Peterson
Crandall	Kamrath	Strehlow
Drew	Kolpin	Stucke
Dubay	Kroeber	Thorson
Eastgate	Lemke	Topp
Erickson	Lind	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Young
Greene, Cavalier	McGillic	

Those voting in the negative were:

Messrs.
Thatcher

Absent and not voting:

Messrs.	Messrs.	Messrs.
Lowe	Whelan	Wog
Nelson, Grand Fks.		

So the bill passed and the title was agreed to.

• House Bill No. 20. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Was read the second time.

ROLL CALL

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.
Braaten	Jones	Nelson, Barnes
Brostuen	Kamrath	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Crandall	Lemke	Stucke
Drew	Lind	Thatcher
Dubay	Lynn	Thorson
Eastgate	Marshall	Topp
Ettestad	Matthaei	Trout
Fredrickson	McDonald	Trovatten
Greene, Cavalier	McGillic	Vinje
Gronvold	Miklethun	Watt
Handley	Mutchler	Young
Johnson		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fowler	Nelson, Grand Fks.
Erickson	Greene, Stutsman	Whelan
Fine	Lowe	Wog

So the bill passed and the title was agreed to.

House Bill No. 19. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota.

Was read the second time.

ROLL CALL

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.
Braaten	Johnson	Nelson, Barnes
Brostuen	Kamrath	Owings
Cain	Kolpin	Peterson

Messrs.	Messrs.	Messrs.
Coffey	Kroeber	Stucke
Crandall	Lemke	Thatcher
Drew	Lind	Thorson
Dubay	Lynn	Topp
Eastgate	Marshall	Trout
Ettestad	Matthaei	Trovatten
Fredrickson	McGillic	Vinje
Greene, Cavalier	Miklethun	Watt
Gronvold	Mutchler	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Nelson, Grand Fks.
Erickson	Jones	Strehlow
Fine	Lowe	Whelan
Fowler	McDonald	Wog

So the bill passed and the title was agreed to.

House Bill No. 18. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Was read the second time.

ROLL CALL

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.
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Stucke
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fredrickson	Matthaei	Vinje
Greene, Cavalier	McGillic	Watt
Gronvold	Miklethun	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lowe	Strehlow
Fine	McDonald	Whelan
Fowler	Nelson, Grand Fks.	Wog
Greene, Stutsman		

So the bill passed and the title was agreed to.

House Bill No. 17. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota.

Was read the second time.

ROLL CALL

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.
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Stucke
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lowe	Strehlow
Fine	McDonald	Trovatten
Greene, Stutsman	Nelson, Grand Fks.	Whelan

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 Carrying out the Provisions of Chapter 203, Session Laws 1919, and Chapter 115, Session Laws 1921, the Same Being Sections 1471b1 and 1471b9 and 1471c1 to 1471c8 of the Supplement to the 1913 Compiled Laws of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 37; nays, 2; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Gronvold	Miklethun
Brostuen	Handley	Mutchler
Cain	Jones	Nelson, Barnes
Coffey	Kamrath	Owings
Crandall	Kolpin	Peterson

Messrs.	Messrs.	Messrs.
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lind	Topp
Erickson	Lynn	Vinje
Ettestad	Marshall	Watt
Fowler	Matthaei	Wog
Fredrickson	McGillic	Young
Greene, Cavalier		

Those voting in the negative were:

Messrs.	Messrs.
Thorson	Trout

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lowe	Strehlow
Fine	McDonald	Trovatten
Greene, Stutsman	Nelson, Grand Fks.	Whelan
Johnson		

So the bill passed and the title was agreed to.

House Bill No. 32. 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 Chapters 26 and 152, Session Laws of 1915, the Same Being Sections 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

Was read the second time.

ROLL CALL

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.
Braaten	Gronvold	McDonald
Brostuen	Handley	McGillic
Cain	Johnson	Miklethun
Crandall	Jones	Mutchler
Drew	Kamrath	Nelson, Barnes
Dubay	Kolpin	Peterson
Eastgate	Kroeber	Stucke
Erickson	Lemke	Thatcher
Ettestad	Lind	Vinje
Fowler	Lynn	Watt
Fredrickson	Marshall	Young
Greene, Cavalier		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Coffey	Topp	Trout
Owings		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Matthaei	Trovatten
Fine	Nelson, Grand Fks.	Whelan
Greene, Stutsman	Strehlow	Wog
Lowe	Thorson	

So the bill passed and the title was agreed to.

House Bill No. 9. A Bill for 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.

Was read the second time.

ROLL CALL

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.
Braaten	Gronvold	Mutchler
Brostuen	Handley	Nelson, Barnes
Cain	Johnson	Owings
Coffey	Jones	Peterson
Crandall	Kamrath	Stucke
Drew	Kolpin	Thatcher
Dubay	Kroeber	Thorson
Eastgate	Lemke	Topp
Erickson	Lind	Trout
Ettestad	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	McDonald	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Matthaei	Strehlow
Fine	McGillic	Trovatten
Lowe	Nelson, Grand Fks.	Whelan

So the bill passed and the title was agreed to.

House Bill No. 10. 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 second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 40; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lind	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Wog
Greene, Cavalier	Miklethun	Young
Gronvold		

Those voting in the negative were:

Messrs.
Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lowe	Trovatten
Fine	McGillic	Whelan
Greene, Stutsman	Nelson, Grand Fks.	

So the bill passed and the title was agreed to.

House Bill No. 11. 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 second time.

ROLL CALL

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.
Braaten	Gronvold	Miklethun
Brostuen	Handley	Mutchler
Cain	Johnson	Nelson, Barnes
Coffey	Jones	Owings
Crandall	Kamrath	Peterson
Drew	Kolpin	Strehlow
Dubay	Kroeber	Stucke
Eastgate	Lemke	Thatcher
Erickson	Lind	Thorson
Ettestad	Lowe	Topp
Fine	Lynn	Trout
Fowler	Marshall	Vinje

Messrs.	Messrs.	Messrs.
Fredrickson	Matthaei	Watt
Greene, Cavalier	McDonald	Wog
Greene, Stutsman	McGillic	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Trovatten	Whelan
Nelson, Grand Fks.		

So the bill passed and the title was agreed to.

House Bill No. 12. 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 1917, the Same Being Section 663a1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Was read the second time.

ROLL CALL

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.
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lind	Thatcher
Eastgate	Lowe	Thorson
Erickson	Lynn	Topp
Ettestad	Marshall	Trout
Fine	Matthaei	Trovatten
Fredrickson	McDonald	Vinje
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lemke	Watt
Fowler	Nelson, Grand Fks.	Whelan

So the bill passed and the title was agreed to.

House Bill No. 14. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Was read the second time.

ROLL CALL

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.
Braaten	Gronvold	Miklethun
Brostuen	Handley	Mutchler
Cain	Johnson	Peterson
Coffey	Jones	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thatcher
Dubay	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Wog
Greene, Cavalier	McGillic	Young
Greene, Stutsman		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Kamrath	Owings	Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lemke	Nelson, Grand Fks.
Eastgate	Nelson, Barnes	Whelan

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 1, 1935.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 126. A Bill for an Act to Amend and Re-enact Section 7730 of the Compiled Laws of North Dakota for 1913, Defining Absolute Exemptions.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Cain moved that House Bill No. 359 be amended as follows:

In line 2 of the title, strike out the words "furnish and equip," and in line 5, of the Bill after the word "associations," strike out the comma and insert a period and strike out the remainder of Section one.

Also, strike out the comma after the word "provide," in the title.

Which motion prevailed.

Senator Cain moved that the rules be suspended and that House Bill No. 359, as amended, be placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 359. A Bill for an Act to Authorize, Direct and Empower the State Board of Administration to Provide, Furnish and Equip a Room in the State Capitol Office Building for the Exclusive Use of Representatives of Accredited Press Associations and Daily Newspapers.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Greene, Stutsman	Mutchler
Brostuen	Gronvold	Peterson
Cain	Johnson	Strehlow
Coffey	Jones	Topp
Crandall	Lind	Vinje
Eastgate	Lowe	Watt
Fowler	Lynn	Young
Fredrickson	McGillic	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Kamrath	Nelson, Barnes
Drew	Kolpin	Owings
Dubay	Kroeber	Stucke
Erickson	Lemke	Thatcher
Ettestad	Marshall	Thorson
Fine	Matthaei	Trout
Greene, Cavalier	McDonald	Trovatten
Handley	Miklethun	Wog

Absent and not voting:

Messrs.	Messrs.
Nelson, Grand Fks.	Whelan

So the bill was declared lost.

Senator Thorson moved that the vote by which House Bill No. 359 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

Senator Eastgate moved that further consideration of House Bill No. 168 be indefinitely postponed.

Senator McGillic moved as a substitute motion that House Bill 168 be placed upon second reading and final passage.

Senator Eastgate withdrew his motion.

Senator McGillic withdrew his substitute motion.

House Bill No. 168. A Bill for an Act to Require the Appraising of the Use of Butter Substitutes on Popcorn Sold or Offered for Sale and Providing Penalties for Violation.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, 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.
Braaten	Kolpin	Nelson, Barnes
Brostuen	Kroeber	Owings
Crandall	Lemke	Peterson
Erickson	Lynn	Stucke
Ettestad	Marshall	Thatcher
Fine	Matthaei	Topp
Fowler	McDonald	Vinje
Greene, Stutsman	McGillic	Watt
Johnson	Mutchler	Young
Kamrath		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Greene, Cavalier	Strehlow
Coffey	Gronvold	Thorson
Drew	Handley	Trout
Dubay	Jones	Trovatten
Eastgate	Lowe	Wog
Fredrickson	Miklethun	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Nelson, Grand Fks.	Whelan
Lind		

So the bill passed and the title was agreed to.

Senator Strehlow: "The dairy interest of our state, I think is about the second largest within the state and here we are passing a bill permitting the use of butterfat, which doesn't amount to much in the first place, but it never should be allowed within our state and never should be recognized and for that reason I am going to vote No."

House Bill No. 298. A Bill for an Act Requiring Safety Shatter-proof Glass in Automobiles, Taxis, Passenger and School Busses.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 31; nays, 13; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Greene, Stutsman	Miklethun
Brostuen	Gronvold	Mutchler
Cain	Jones	Nelson, Barnes
Coffey	Lemke	Owings
Crandall	Lowe	Peterson
Drew	Lynn	Strehlow
Eastgate	Marshall	Stucke
Erickson	Matthaei	Trovatten
Ettestad	McDonald	Vinje
Fowler	McGillic	Young
Fredrickson		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Dubay	Kamrath	Thorson
Fine	Kolpin	Topp
Greene, Cavalier	Kroeber	Trout
Handley	Thatcher	Wog
Johnson		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Nelson, Grand Fks.	Whelan
Lind	Watt	

So the bill passed and the title was agreed to.

President pro tem. Marshall resumed the chair.

House Bill No. 167. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 111 of the 1933 Session Laws Known as the "Flour Label Act" and Declaring it an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 35; nays, 6; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Kamrath	Owings
Brostuen	Kolpin	Peterson

Dubay	Kroeber	Strehlow
Erickson	Lemke	Stucke
Ettestad	Lind	Thatcher
Fine	Lowe	Thorson
Fredrickson	Marshall	Trout
Greene, Cavalier	Matthaei	Trovatten
Greene, Stutsman	McGillic	Vinje
Handley	Miklethun	Wog
Johnson	Mutchler	Young
Jones	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Crandall	Gronvold
Coffey	Drew	Topp

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lynn	Watt
Eastgate	McDonald	Whelan
Fowler	Nelson, Grand Fks.	

So the bill passed and the title was agreed to.

Senator Brostuen asked unanimous consent to return to the Fourth Order of Business.

Which request was granted.

Senator Brostuen moved that a letter of transmittal and the body of a petition which he had received, bearing 40,282 signatures, asking certain tax legislation, be printed in the Journal.

Which motion prevailed.

Aberdeen, S. D.,
February 26, 1935.

Secretary of the Senate,

Bismarck, N. D.

Dear Sir:

By prepaid express I am sending you a bundle of petitions in reference to tax matters, containing names of 40,282 signers, and will appreciate greatly if you will bring these petitions to the attention of the Senate.

I had intended to deliver these petitions personally, but am prevented by being a little under the weather at this time.

Yours very truly,
W. C. ALLEN,

W. C. Allen, Publisher
The Dakota Farmer
The Farmers Paper

To Members of the North Dakota Legislative Session of 1935:
Gentlemen: We, the undersigned, while being appreciative

of the considerable reduction in governmental expenses made by the 1933 legislative session, believe that further reductions can be made without in any way impairing the conduct of the state's business; also that there remain many opportunities for reduction of expense in operation of counties, townships, schools, cities and towns.

We believe that all civic units should be compelled to operate on a budget basis, and that it be mandatory that all tax-levying bodies prepare and submit proposed budgets to public hearing, after due public notice.

We believe there should be further legislation toward more equal distribution of the tax burden, with due consideration of the ability to pay.

We therefore request and petition that the legislative session of 1935 enact such laws as may be necessary to reduce taxes to the lowest possible level and provide for equitable distribution of same.

Referred to the Committee on Taxes and Tax Laws.

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. 85. A Bill for an Act Providing for Means and Method of Obtaining Service Upon a Non-resident Using the Highways of the State of North Dakota, and Providing the Time Within Which Such Defendant May Answer.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan 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. 126. A Bill for an Act to Amend and Re-enact Section 7730 of the Compiled Laws of North Dakota for 1913, Defining Absolute Exemptions.

Also,

Senate Bill No. 85. A Bill for an Act Providing for Means and Method of Obtaining Service Upon a Non-resident Using the Highways of the State of North Dakota, and Providing the Time Within Which Such Defendant May Answer.

And the President signed the same in the presence of the Senate.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 1, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 29 of Chapter 160 of the 1933 Session Laws, Relating to Registration of Motor Vehicles.

Also,

House Bill No. 115. A Bill for an Act to Repeal All of Article 7a of Chapter 43 of the Political Code as Found in the 1925 Supplement to the 1913 Compiled Laws with All Amendments Thereof, Relating to State Transportation Officer. Repeal.

Also,

House Bill No. 197. A Bill for an Act to Repeal Section 2, of Chapter 106 Session Laws of North Dakota 1927, and Declaring an Emergency.

Also,

House Bill No. 146. A Bill for an Act Providing for the Revision and Passage of Village Ordinances.

Which the Senate has indefinitely postponed.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 1, 1935.

Mr. Speaker: I have the honor to return herewith the following:

HOUSE CONCURRENT RESOLUTION "A-10"

Which the Senate has adopted unchanged.

Also,

House Bill No. 33. 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 1923, the Same Being Sections 2790a1-2790a18 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 83. A Bill for an Act Making an Appro-

ropriation for the Purchase of Certain Lots Within the Plat of Capitol Park Adjoining the Capitol Buildings in the City of Bismarck, North Dakota, and Providing for Method of Disbursements Thereof.

Also,

House Bill No. 84. A Bill for an Act Making an Appropriation for the Payment of Rent Due for Offices Occupied by State Officers and for Which no Prior Appropriation was Made Available, and Declaring an Emergency.

Also,

House Bill No. 136. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend from the Present Sewerage System of the State Training School to Connect with the Syndicate Sewer of the City of Mandan; Making an Appropriation Therefor; and Declaring an Emergency.

Also,

House Bill No. 231. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 128 of the Session Laws of the State of North Dakota for the Year 1925, Being Section 3163A4 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to Dance Permits.

Also,

House Bill No. 143. A Bill for an Act to Amend and Re-enact Section 3803 Compiled Laws of North Dakota for 1913 Relating to Vacancies in the Offices in Cities Under the Commission Form of Government.

Also,

House Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927 and Chapter 74, Laws of 1929.

Also,

House Bill No. 15. A Bill for an Act Making an Appropriation for the Care of Feeble Minded Whose Residence Cannot be Determined and Whose Care Must be Borne by the State.

Also,

House Bill No. 145. A Bill for an Act to Amend and Re-enact Section 3684a10 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to the City Budget Law.

Also,

House Bill No. 20. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the

Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

House Bill No. 19. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota.

Also,

House Bill No. 18. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

House Bill No. 17. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota.

Also,

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Carrying out the Provisions of Chapter 203, Session Laws 1919, and Chapter 115, Session Laws 1921, the Same Being Sections 1471b1 and 1471b9 and 1471c1 to 1471c8 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 32. 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 Chapters 26 and 152, Session Laws of 1915, the Same Being Sections 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 9. A Bill for 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.

Also,

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Also,

House Bill No. 11. 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.

Also,

House Bill No. 12. 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 1917, the Same Being Section 663a1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 14. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Which the Senate has passed unchanged.

Very respectfully,

F. E. TUNELL,
Secretary.

SECOND READING OF SENATE BILLS
SENATE CONCURRENT RESOLUTION A-h

Was read the second time.

The question was on the adoption of Senate Concurrent Resolution A-h, and the Resolution was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 1, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

SENATE CONCURRENT RESOLUTION "A-h"

Which the Senate has adopted and your favorable consideration is respectfully requested.

Also,

Senate Bill No. 85. A Bill for an Act Providing for Means and Methods of Obtaining Service Upon a Non-resident Using the Highways of the State of North Dakota, and Providing the Time Within Which Such Defendant May Answer.

Which the President has signed, and your signature is respectfully requested.

Also return:

House Bill No. 126. A Bill for an Act to Amend and Re-enact Section 7730 of the Compiled Laws of North Dakota for 1913, Defining Absolute Exemptions.

Which the President has signed.

Very respectfully,

F. E. TUNELL,
Secretary.

House Bill No. 338 was re-referred to the Committee on State Affairs.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Jack Mattson, Minot; L. E. Seidl, Pisek; L. E. Tibert, Voss; Geo. F. Wasick, Pete Norloch of Minto; Chester Thompson, Park River; B. B. Comjul, B. Wilcox of Center; Jerome Larson, Alice Larson, Clyde; Mr. and Mrs. Harvey Rife, Harvey Rife, Jr., Norman Smith, Joe Napravnick, Joe LaFournaire, Robert Wilson, Roger Kimber, Robert Callan, James Swartzrock, Willard Eckes, Marty Engh, Arnold Bjornson, John Quinn, Major T. J. Thomsen, Major Leo. H. Dominick, Lt. Lawrence LeDuc, Lt. Arthur Halvorson, Lt. Torgerson, all of Wahpeton; Henry D. Jones, Fredonia.

Senator Cain moved that the Senate recess until 12:30 o'clock P. M.

Which motion prevailed.

F. E. TUNELL,
Secretary.

FIFTY-THIRD DAY AFTER RECESS AND THE
FIFTY-FOURTH DAY

Senate Chamber,
Bismarck, North Dakota,
March 2, 1935.

The Senate convened at 12:30 o'clock A. M., President pro tem. Marshall presiding.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

Twelve telegrams presented by Senator Bonzer, signed, North Dakota State Federation of Labor; Federated Labor Union No. 19083; Grand Forks Trades and Labor Assembly; The Railway Clerks; The Mill and Flour Workers; The Carpenters and Painters; The Maintenance of Way Employees; The Teachers Federation; The Musicians Federation; The Meat Cutters and Butcher Workmen; The Typographical Union, and the Painters and Decorators, respectively, asking support of House Bill No. 188.

Referred to the Committee on State Affairs.

A petition presented by Senator Stucke, signed, B. P. Petula and thirty-eight others opposed to House Bill No. 135.

A resolution presented at the desk, signed, H. W. Gray and four other Wilton aldermen, in opposition to House Bill No. 135.

Referred to the Committee on Taxes and Tax Laws.

A petition presented by Senator M. Peterson, signed, Mrs. N. R. Heinzen, of the Plaza W. C. T. U. in opposition to hard liquor.

Referred to the Committee on Temperance.

A petition presented by Senator Braaten, signed, Mrs. Carolyn Kent and twenty others, regarding education.

Referred to the Committee on Education.

Senator Fine moved that the mailing clerk be instructed to send copies of some of our most important Bills under the third class mailing privilege to Clyde M. Stauffer, Senator, Flagstaff, Arizona, in accordance with his request as read from the desk.

Which motion prevailed.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

March 1, 1935.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 91. A Bill for an Act Requiring Issuance of Receipt for Road Tax Paid Interstate Carriers, and Requiring Posting of Receipts, and Providing a Penalty for Violation Thereof, and Declaring an Emergency.

Also,

Senate Bill No. 97. A Bill for an Act Relating to Refunding Special Improvement Warrants, Repealing Chapter 178 of the Session Laws of North Dakota for 1929 and All Other Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1291, Compiled Laws of 1913, Concerning Elections in Independent School Districts, Placing Control Thereof in the Hands of the Board of Education, and Providing for Special Elections in Such Districts and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 138 of the 1933 Session Laws of the State of North Dakota Relating to Hail Tax Refund.

Also,

Senate Bill No. 154. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 19, of Chapter 179 of the Session Laws of 1927, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 162 of the Session Laws of 1933,

Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Very truly yours,

WALTER WELFORD,
Governor.

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 81. A Bill for an Act Making an Emergency Appropriation to Provide for the Payment of the Salaries of Assistant Dairy Commissioners, Official Tester, Clerkhire, Office Supplies, Printing, Postage, Travel Expenses, Auto Exchange and Miscellaneous Expenses for the Office of Dairy Commissioner, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3, of the engrossed bill, strike out the figures "\$7,450.00" and insert in lieu thereof the figures "\$6,650.00."

In line 16 of the engrossed bill, item "Travel Expenses," strike out the figures "2,000.00" and insert in lieu thereof the figures "1,200.00."

In line 19 of the engrossed bill item "Total," strike out the figures "\$7,450.00" and insert in lieu thereof the figures "\$6,650.00."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 132. A Bill for an Act Making a Special Appropriation to Cover Deficits in the Clerk Hire, Printing, Postage and Office Supplies Funds for the Maintenance and Operation of the Workmen's Compensation Bureau.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 25. 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.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 13. 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.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 44. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3, of the engrossed bill, strike out the figures "\$130,240.00" and insert in lieu thereof the figures "\$114,940.00."

In line 12, of the engrossed bill, strike out the figures "69,800.00," and insert in lieu thereof the figures "60,000.00."

In line 17, of the engrossed bill, strike out the figures "7,500.00," and insert in lieu thereof the figures "\$6,000.00."

In line 18, of the engrossed bill, strike out the figures "7,500.00," and insert in lieu thereof the figures "6,500.00."

In line 20, of the engrossed bill, strike out the figures "8,000.00," and insert in lieu thereof the figures "5,000.00."

In line 21, of the engrossed bill, strike out the figures "\$130,240.00," and insert in lieu thereof the figures "\$114,940.00."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 38. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3, of the engrossed bill, strike out the figures "\$12,000.00," and insert in lieu thereof the figures "\$16,000.00."

In line 9, of the engrossed bill, strike out the figures "\$1,250.00," and insert in lieu thereof the figures "\$2,250.00."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 61. 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 be amended as follows:

In line 3, of the engrossed bill, strike out the figures "\$105,619.00," and insert in lieu thereof the figures "\$110,785.00."

In line 13, of the engrossed bill, item "Salary Adjustments," strike out the figures "5,166," and insert in lieu thereof the figures "10,332.00."

In line 33, of the engrossed bill, strike out the figures "\$144,997.00," and insert in lieu thereof the figures "\$150,163.00."

In line 35, strike out the figures "\$97,497.00," and insert in lieu thereof the figures "\$102,663.00."

In line 57, of the engrossed bill, strike out the figures "\$105,619.00," and insert in lieu thereof the figures "\$110,785.00."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Whelan asked unanimous consent to have Senate Bill No. 198 recalled from the House.

Which request was granted.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 2, 1935.

Mr. Speaker: I have the honor to request you to return Senate Bill No. 198 to the Senate.

Very respectfully,

F. E. TUNELL,
Secretary.

REPORT OF STANDING COMMITTEES

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

House Bill No. 365. A Bill for an Act Providing That Teachers Who Served in the United States Armed Forces During the World War Shall Be Entitled to Have the Time of Said Service Counted "Teaching Service" Under the Teachers' Insurance and Retirement Lay Upon Payment of the Assessments for the Time of Said Service; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, page 1, of the printed bill, following the comma after the word "however," in line 6, strike out the balance of the line and all of lines 7 and 8, and insert in lieu thereof the following: "that teaching was his occupation at the time of entering the service, and upon the payment of assessments he would have paid had he continued his profession."

And when so amended recommend the same do pass.

A. S. MARSHALL,
Chairman.

Senator Marshall moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

House Bill No. 329. A Bill for an Act Relating to Transportation or Amounts Allowed in Lieu Thereof, and Providing for Division Among Families; Repealing Acts in Conflict.

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.

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

SENATE CONCURRENT RESOLUTION NO. "A-g"

A Concurrent Resolution Asking Congress to Enact Legislation Providing That the National Government Assist In Financial Education of all School Children.

Have had the same under consideration and recommend that the same be adopted.

A. S. MARSHALL,
Chairman.

Senator Marshall moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections made the following report:

Mr. President: Your Committee on Elections to whom was re-referred:

HOUSE CONCURRENT RESOLUTION A-4

Providing for the Amendment of Section 173 of Article 10 of the Constitution of North Dakota, as Amended by Article 41 of the Amendments Thereof, and as Amended by Chapter 84 of the 1933 Session Laws of the State of North Dakota, Relating to County Officer.

Have had the same under consideration and recommend that the same be adopted.

O. E. ERICKSON,
Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 280. A Bill for an Act to Amend and Re-enact Section 9020 of the Compiled Laws of North Dakota for the Year 1913, Relating to Surety for Costs Where Plaintiff is a Non-resident of the State or a Corporation and Exempting from the Operation of Said Section Public Corporations of the State of North Dakota and Corporations That Are Instrumentalities or Agencies of the United States of America.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 235. A Bill for an Act to Amend and Re-enact Section 9070 of the 1913 Compiled Laws of the State of North Dakota Relating to Notice to Vacate Premises.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 182. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 219 of the Session Laws of North Dakota of the Year 1923 (Section 3999, Subdivision 3, Supplement 1925.)

Have had the same under consideration and recommend that the same be amended as follows:

In line 1, of the title of the engrossed bill, strike out everything after the word "Section," and insert in lieu thereof the following language: "3999, Supplement to the Compiled Laws of 1913."

In line 1, of Section 1, strike out the words and figures "1 of Chapter 219 of the North Dakota Session Laws of 1923," and insert in lieu thereof the words and figures "3999, Supplement to the Compiled Laws of 1913."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 134. A Bill for an Act Amending Section 160 of the 1925 Supplement to the Compiled Laws of North Dakota, Relating to the Appointment of Assistant and Special Assistant Attorneys General, Providing for Their Compensation and Duties, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 133. A Bill for an Act Authorizing Judges of the District Court to Request the Attorney General to Perform Certain Duties Relating to Criminal Matters, Pro-

viding for Payment of Expenses in Connection Therewith, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1 of the title of the printed bill, strike out the word "request" and insert in lieu thereof the word "demand."

In line 2, of Section 1, strike out the word "request" and insert in lieu thereof the word "demand."

In line 8 of Section 1, strike out the word "request" and insert in lieu thereof the word "demand."

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 116. A Bill for an Act to Amend and Re-enact Section 9807 of the Compiled Laws of North Dakota 1913; Defining Riot.

Have had the same under consideration and report the same without recommendation.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 111. A Bill for an Act Entitled an Act to Empower the Governing Boards of Municipalities to Compromise and Fund Judgment Liabilities; to Issue Bonds in Satisfaction of Judgments Reduced in Amount by Compromise and Provide for the Form, Execution, Registration and Payment of the Same; and to Invest Municipalities with an Interest in Uncollected Special Assessments in Certain Cases.

Have had the same under consideration and recommend that the same do pass.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 353. A Bill for an Act to Amend and Re-enact Section 3080a4 of the Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Labeling of Gasoline and Kerosene.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 253. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 199 Session Laws of 1933 Relating to the Disposition of Fees and Payment of Expenses of the North Dakota Regulatory Department.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 300. A Bill for an Act to Amend and Re-enact Section 4809b6, of the Supplement to the 1913 Compiled Laws of North Dakota, Providing Enlarged Powers to Co-operative Marketing Associations in Connection with the Handling of Co-operative Products.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 310. A Bill for an Act Establishing Methods for Determining Division Lines Between Adjoining Owners of Agricultural Lands; Authorizing Survey by County Surveyor and Requiring Adjoining Owners to Share the Expense; Providing Methods for Collecting Said Expense.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 193. A Bill for an Act Prohibiting the Deposit of Any Public Funds by Any State, County, School Township or Any Board or Commission in Any Bank, Unless at Least 51% of the Stock of Said Bank is Owned by Actual Residents of the State of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 188. A Bill for an Act Relating to the Granting of Preventative Relief, Prescribing Conditions Thereof and Provisions Therefor; and Repealing Sections 7214a1, 7214a2 and 7214a3 of the Supplement to the 1913 Compiled Laws of North Dakota.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 360. A Bill for an Act Giving Preference to North Dakota Bidders and Sellers; Defining Such North Dakota Bidders and Sellers, and Prescribing the Nature of Preference to Be Given.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,

Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 328. A Bill for an Act for the Transfer of License Tags Required for Trucks Engaged in Commercial Freighting, as Provided by Sub-division C of Section 5 of Chapter 186 of the Session Laws of 1931, to Another Truck Owned by the Same License Holder, Upon the Sale or Destruction of Such Commercial Freighting Truck, so Licensed; Prohibiting Automobile Dealers from Permitting the Use of a Dealers License by Another Dealer and Providing Penalty Therefor.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,

Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that they have examined the following bills:

Senate Bill No. 128. A Bill for an Act to Promote the Objects of the Act of Congress of the United States Entitled, "National Housing Act," approved June 27, 1934, and Acts Amendatory Thereof or Supplemental Thereto, by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, and Insurance Companies, to Make Loans Pursuant to Title I and II of the National Housing Act, and by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other

Fiduciaries, the State of North Dakota and its Political Sub-divisions, and Institutions and Agencies Thereof, and All Other Persons, Associations and Corporations, Subject to the Laws of This State, to Invest in Mortgages Insured, and in Debentures Issued, by the Federal Housing Administrator, and to Invest in Securities of National Mortgage Associations or Similar National Mortgage Credit Institutions Now or Hereafter Organized Under Title III of the National Housing Act, and by Excepting Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Sub-divisions, and Institutions and Agencies Thereof, and All Other Persons, and Associations, Subject to the Laws of This State from the Application of Laws of This State Requiring Security Upon Which Loans or Investments May Be Made, or Limiting Making of Loans to Shareholders or Members of the Lender, or Prescribing the Nature, Amount or Form of Such Security, or Limiting or Prescribing the Interest Rates Upon Loans or Investments, or the Period for Which Loans or Investments May Be Made, Provided Such Loans, Securities or Investments Are Insured by the Federal Housing Administrator, and Providing for Invalidity, and Declaring an Emergency to Exist.

Also,

Senate Bill No. 148. A Bill for an Act Appropriating the Sum of Twenty-eight Thousand (\$28,000.00) Dollars, or so Much Thereof as May Be Required, to Reimburse the Bank of North Dakota for Certain Funds Loaned to the State Historical Society, for the Purpose of Purchasing State Park Lands, and Declaring an Emergency.

Also,

Senate Bill No. 149. A Bill for an Act to Create a State Planning Board, Prescribing the Powers and Duties Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 163. A Bill for an Act Making an Appropriation to the University of North Dakota to Meet a Deficiency in the Appropriation for the Biennium Expiring June 30, 1935, for the Public Health Laboratories; and Declaring an Emergency.

Also,

Senate Bill No. 172. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Also,

Senate Bill No. 184. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys and Girls Club Work at State and District Fairs.

Also,

Senate Bill No. 220. A Bill for an Act to Suspend the Operating of Chapter 24 of the Political Code of the State of North Dakota for the Year 1913, Being Sections 1889 to 1902 Both Inclusive of Said Compiled Laws, Relating to the Enumeration of Inhabitants in the State of North Dakota, and Declaring an Emergency.

Also,

Senate Bill No. 232. A Bill for an Act to Make an Appropriation to Provide for Payment of a Deficit in the Maintenance of the National Guard Fund, and Declaring an Emergency.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan 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. 128. A Bill for an Act to Promote the Objects of the Act of Congress of the United States Entitled, "National Housing Act," approved June 27, 1934, and Acts Amendatory Thereof or Supplemental Thereto, by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, and Insurance Companies, to Make Loans Pursuant to Title I and II of the National Housing Act, and by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Sub-divisions, and Institutions and Agencies Thereof, and All Other Persons, Associations and Corporations, Subject to the Laws of This State, to Invest in Mortgages Insured, and in Debentures Issued, by the Federal Housing Administrator, and to Invest in Securities of National Mortgage Associations or Similar National Mortgage Credit Institutions Now or Hereafter Organized Under Title III of the National Housing Act, and by Excepting Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Sub-divisions, and Institutions and Agencies Thereof, and All Other Persons, and Associations, Subject to the Laws of This State from the Application of Laws of This State Requiring Security Upon Which Loans or Investments May Be Made, or Limiting Making of Loans to Shareholders

or Members of the Lender, or Prescribing the Nature, Amount or Form of Such Security, or Limiting or Prescribing the Interest Rates Upon Loans or Investments, or the Period for Which Loans or Investments May Be Made, Provided Such Loans, Securities or Investments Are Insured by the Federal Housing Administrator, and Providing for Invalidity, and Declaring an Emergency to Exist.

Also,

Senate Bill No. 148. A Bill for an Act Appropriating the Sum of Twenty-eight Thousand (\$28,000.00) Dollars, or so Much Thereof as May Be Required, to Reimburse the Bank of North Dakota for Certain Funds Loaned to the State Historical Society, for the Purpose of Purchasing State Park Lands, and Declaring an Emergency.

Also,

Senate Bill No. 149. A Bill for an Act to Create a State Planning Board, Prescribing the Powers and Duties Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 163. A Bill for an Act Making an Appropriation to the University of North Dakota to Meet a Deficiency in the Appropriation for the Biennium Expiring June 30, 1935, for the Public Health Laboratories; and Declaring an Emergency.

Also,

Senate Bill No. 172. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Also,

Senate Bill No. 184. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys and Girls Club Work at State and District Fairs.

Also,

Senate Bill No. 220. A Bill for an Act to Suspend the Operating of Chapter 24 of the Political Code of the State of North Dakota for the Year 1913, Being Sections 1889 to 1902 Both Inclusive of Said Compiled Laws, Relating to the Enumeration of Inhabitants in the State of North Dakota; Declaring an Emergency.

Also,

Senate Bill No. 232. A Bill for an Act to Make an Appropriation to Provide for Payment of a Deficit in the Main-

tenance of the National Guard Fund, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 2, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 85. A Bill for an Act Providing for Means and Method of Obtaining Service Upon a Non-resident Using the Highways of the State of North Dakota, and Providing the Time Within Which Such Defendant May Answer.

Also,

Senate Bill No. 140. A Bill for an Act Making an Appropriation to the Attorney General to Repay Money Borrowed from The Bank of North Dakota to Pay Expenses Incurred for Fees and Disbursements in Certain Tax Litigations, and Declaring an Emergency.

Also,

Senate Bill No. 139. A Bill for an Act Making an Appropriation to Meet a Deficiency in the Appropriations Made to the Board of Pardons for the Biennium Period Expiring June 30, 1935, and Declaring an Emergency.

Also,

Senate Bill No. 124. A Bill for an Act Declaring Water and/or Wildlife Conservation to Be a State Purpose, Providing the Board of University and School Lands with the Authority to Grant to the United States of America, or to Any of Its Instrumentalities or Agencies, Any and All Easement Rights as Shall Be Required for the Construction, Maintenance and Operation of Water and/or Wildlife Conservation Projects to Be Constructed on the Public Lands of the State of North Dakota, Declaring That Such Water and/or Wildlife Conservation Projects Shall Be Considered as a Benefit to Said Lands and Not to Diminish the Value or Purchase Price Thereof, Repealing Any and All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 26, 27, 31, 32, 33 and 35 of Chapter 164, of the Session Laws for 1933, Relating to Regulations of Motor Vehicle Transportation.

Which the Speaker has signed.

Also transmit:

House Bill No. 84. A Bill for an Act Making an Appropriation for the Payment of Rent Due for Offices Occupied by State Officers and for Which no Prior Appropriation was Made Available, and Declaring an Emergency.

Also,

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 134 of the 1927 Session Laws Relating to the Return and Disposition of Election Ballots and Compensation of Election Officers.

Also,

House Bill No. 143. A Bill for an Act to Amend and Re-enact Section 3803 Compiled Laws of North Dakota for 1913 Relating to Vacancies in the Offices in Cities Under the Commission Form of Government.

Also,

House Bill No. 231. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 128 of the Session Laws of the State of North Dakota for the Year 1925, Being Section 3163A4 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to Dance Permits.

Also,

House Bill No. 148. A Bill for an Act to Amend and Re-enact Section 1009 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Abstract of Vote; Canvass of Vote; Certificate of Election; Tie How Decided; Publication of Abstract; and Providing for Compensation.

Also,

House Bill No. 145. A Bill for an Act to Amend and Re-enact Section 3684a10 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to the City Budget Law.

Also,

House Bill No. 139. A Bill for an Act to Amend and Re-enact Sections 2003a1 and 2003a2 of the 1925 Supplement to the 1913 Compiled Laws Relating to the Cutting of Noxious Weeds on Highways.

Also,

House Bill No. 136. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend from the Present Sewerage System of the State Training School to Connect with the Syndicate Sewer of the City of Mandan; Making an Appropriation Therefor; and Declaring an Emergency.

Also,

House Bill No. 83. A Bill for an Act Making an Appro-

priation for the Purchase of Certain Lots Within the Plat of Capitol Park Adjoining the Capitol Buildings in the City of Bismarck, North Dakota, and Providing for Method of Disbursements Thereof.

Also,

House Bill No. 32. 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 Chapters 26 and 152, Session Laws of 1915, the Same Being Sections 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also:

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Carrying out the Provisions of Chapter 203, Session Laws 1919, and Chapter 115, Session Laws 1921, the Same Being Sections 1471b1 and 1471b9 and 1471c1 to 1471c8 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927 and Chapter 74, Laws of 1929.

Also,

House Bill No. 15. A Bill for an Act Making an Appropriation for the Care of Feeble Minded Whose Residence Cannot be Determined and Whose Care Must be Borne by the State.

Also,

House Bill No. 14. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Also,

House Bill No. 11. 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.

Also,

House Bill No. 12. 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 1917, the Same Being Section 663a1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Also,

House Bill No. 9. A Bill for 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.

Also

House Bill No. 20. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

House Bill No. 19. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota.

Also,

House Bill No. 18. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

House Bill No. 17. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota.

Also,

House Bill No. 33. 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 1923, the Same Being Sections 2790a1-2790a18 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also transmit:

HOUSE CONCURRENT RESOLUTION A-15

Also,

HOUSE CONCURRENT RESOLUTION A-10

Also,

House Bill No. 169. A Bill for an Act to Amend and Re-enact Chapter 120, Session Laws of the State of North Dakota for 1933, Relating to the Disposition of Money Collected by the Game and Fish Commission; Providing for the Conservation of Water, and the Construction of Dams Within the State, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 221. A Bill for an Act Granting Easements to the United States for Rights of Way Over Lands Owned by the State of North Dakota for Ditches, Dams, Dikes, Fills, Spillways, or Other Structures Now Constructed or to Be Constructed by the United States of America, Its Instrumentalities or Agencies, for the Purpose of Water and/or Wildlife Conservation.

Was read the second time.

ROLL CALL

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.
Bonzer	Johnson	Nelson, Barnes
Braaten	Jones	Owings
Brostuen	Kamrath	Peterson
Cain	Kolpin	Strehlow
Coffey	Kroeber	Stucke
Crandall	Lemke	Thorson
Drew	Lind	Topp
Dubay	Lynn	Trout
Eastgate	Marshall	Trovatten
Erickson	Matthaei	Vinje
Ettestad	McDonald	Watt
Fowler	McGillie	Whelan
Greene, Cavalier	Miklethun	Wog
Gronvold	Mutchler	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	
Fine	Greene, Stutsman	Nelson, Grand Fks.
Fredrickson	Lowe	Thatcher

So the bill passed and the title was agreed to.

House Bill No. 206. A Bill for an Act Fixing the Maximum Annual Salary Which May Be Paid the Assistant Dairy Commissioners, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the

roll was called and there were ayes, 40; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Jones	Nelson, Barnes
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Crandall	Kroeber	Strehlow
Drew	Lemke	Stucke
Dubay	Lind	Thorson
Eastgate	Lynn	Topp
Erickson	Marshall	Trout
Ettestad	Matthaei	Trovatten
Fine	McDonald	Vinje
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young
Johnson		

Those voting in the negative were:

Messrs.	Messrs.
Handley	Watt

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fredrickson	Nelson, Grand Fks.
Brostuen	Low	Thatcher
Fowler		

So the bill passed and the title was agreed to, and the emergency clause declared carried.

House Bill No. 174. A Bill for an Act to Amend and Re-enact Sections 9, 11 and 36 of Chapter 179 of the Session Laws of North Dakota for the Year 1927 as Amended by Sections 4, 5 and 12 of Chapter 160 of the Session Laws of North Dakota of 1933; Having to Do With the Applications for Registration of Motor Vehicles, Duties of Registrar, Registration Cards and Certificate of Application for License Made.

Was read the second time.

ROLL CALL

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.
Braaten	Johnson	Nelson, Barnes
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke

Messrs.	Messrs.	Messrs.
Dubay	Lemke	Thatcher
Eastgate	Lind	Thorson
Erickson	Lynn	Topp
Ettestad	Marshall	Trout
Fine	Matthaei	Trovatten
Fredrickson	McDonald	Vinje
Greene, Cavalier	McGillic	Watt
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fowler	Nelson, Grand Fks.
Brostuen	Low	Whelan

So the bill passed and the title was agreed to.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

March 1, 1935.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 20. 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. 21. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment of the School for the Deaf at Devils Lake, North Dakota.

Very truly yours,

WALTER WELFORD,
Governor.

Senator Erickson moved that House Bill No. 278 be laid over one legislative day.

Which motion prevailed.

Senator Matthaei asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Matthaei moved that the vote by which House Bill No. 359 was lost be reconsidered.

Which motion prevailed.

Senator Matthaei moved that House Bill No. 359 be placed at the foot of the calendar.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 2, 1935.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 169.

Also,

House Bill No. 158.

Very respectfully,

WALTER S. MARTIN
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 2, 1935.

Mr. President: I have the honor to return:

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Subdivision (c) of Section 25 of Chapter 186, Session Laws of 1931, as Amended by Chapter 160 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles and Declaring an Emergency.

Which the House has amended as follows:

In Section 2, of the original Bill, strike out everything after the word "emergency," and insert the following in lieu thereof: "this Act is hereby declared to be an emergency measure, and shall be in full force and effect from and after its passage and approval."

Amendments found in House Journal of February 28, page 3.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 2, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Also,

Senate Bill No. 183. A Bill for an Act Authorizing and Empowering the Governing Board of Any Political Sub-division to Compromise and Settle Obligations Other Than Taxes Due and Owing to or Held by Such Political Sub-divisions, Validating Settlements Heretofore Made, and Declaring an Emergency.

Also,

Senate Bill No. 169. A Bill for an Act Authorizing the Board of Administration to Establish and Operate a Public Restaurant and Lunch Room in the State Capitol, Defining Its Powers and Duties in Relation Thereto, and Prohibiting Any Person, Firm or Corporation From Operating Any Restaurant or Lunch Room in the State Capitol After July 1, 1935.

Also,

Senate Bill No. 28. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of the State of North Dakota, as Amended by Chapter 274, Session Laws of 1927 and as Amended by Chapter 140 of the Session Laws of 1913, Defining Usury.

Also,

Senate Bill No. 201. A Bill for an Act to Amend and Re-enact Sections 1168, 1255 and 1306 of the Compiled Laws of the State of North Dakota, Relating to Keeping of Accounts and the Manner of Disbursement of Funds of Common, Special and Independent School Districts, and Providing for the Form of Warrants to Be Used by Said School Districts as Amended by Chapter 228 of the 1933 Session Laws of North Dakota and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 236. A Bill for an Act to Regulate Ownership and Operation of Pharmacies, Requiring the Registration and Inspection and Prescribing Penalties.

Also,

Senate Bill No. 292. A Bill for an Act Amending Section 10254 of the Compiled Laws of 1913, Relating to Jumping of Hotel Bills and Bills for Food, Lodging, or Other Accommodations, at Any Hotel, Lodging House, Inn, Boarding or Eating House.

Also.

Senate Bill No. 302. A Bill for an Act to Regulate Collection Agencies, and for the Protection of the People in

General from Unscrupulous and Irresponsible Agents and Individuals Calling Themselves Collection Agencies.

Also,

Senate Bill No. 309. A Bill for an Act Authorizing the Filling in of Printed Blank Instruments Used in the Transfer, Mortgaging, or Leasing of Real and Personal Property and Acquiring Statutory Liens by Others Than a Regularly Licensed Attorney, Repealing Conflicting Laws, and Declaring an Emergency.

Also,

Senate Bill No. 282. A Bill for an Act to Permit Mutual Cyclone and Tornado Insurance Companies to Insure Its Members Against Fire or Lightning.

Which the House has indefinitely postponed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 2, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 15. 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.

Also,

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance and a New Building for the State Hospital for the Insane at Jamestown, North Dakota, and for the Construction and Equipment of a New Building at Said Hospital; Permitting the Use of Labor of Inmates in the Construction and Equipment of Such New Building; Imposing Certain Duties on the Board of Administration in Connection Therewith; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 132. A Bill for an Act Defining Banking Institutions Within the Meaning of This Act; Authorizing Such Banking Institutions to Enter Into Such Contracts, Incur Such Obligations and Generally to do Such Acts as May Be Appropriate or Necessary to Take Advantage of Any and all Memberships, Loans, Subscriptions, Contracts, Grants, Rights or Privileges, Including the Right to Receive and Hold United States Postal Savings Deposits, Which May, at any Time, Be Available or Enure to Said Banking Institutions or Their Depositors, Stockholders, Conservators,

Liquidators or Receivers, Under or by Virtue of Any Act, Regulation or Resolution of the Congress of the United States or Any Department, Board, Agency or Officer Thereof; to Aid, Regulate, Foster, Promote or Safeguard Banking Institutions and Depositors, Including the Act Creating the Federal Deposit Insurance Corporation and Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which Said Banking Institutions, Their Stockholders, Depositors, Conservators, Liquidators or Receivers May Take Advantage of, Comply With and Act Upon the Rights and Privileges Hereby Granted to Them, and Declaring an Emergency.

Also,

Senate Bill No. 186. A Bill for an Act Transferring \$78,293.94 From Certain Fund in Office of State Treasurer, Derived From the United States, to the State Equalization Fund, Appropriating the Same for School Purposes, and Providing That Funds Derived in the Future From Same Source Shall Be Placed in the State Equalization Fund and Used for School Purposes, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

Senate Bill No. 261. A Bill for an Act Transferring a Sum of Fifty Thousand Dollars from the General Fund to the "Returned Soldiers Fund" Heretofore Transferred from the Returned Soldiers Fund to the General Fund Under the Provisions of Chapter 82 of the Session Laws of 1931, and Declaring an Emergency.

Also,

Senate Bill No. 295. A Bill for an Act to Permit Boards of County Commissioners to Set Aside and Transfer for Park and Recreational Purposes Lands Acquired by the County Through Tax Deeds, and Declaring an Emergency.

Also,

Senate Bill No. 75. A Bill for an Act to Provide for Liens in Favor of Hospitals and Other Charitable Institutions Furnishing Care, Treatment and Maintenance of Persons Injured in Accidents, not Subject to the Provisions of the Workmen's Compensation Act of North Dakota, for the Reasonable Value of the Service so Rendered, Upon the Rights of Action, Claims or Demands of Such Injured Persons, or Judgment Recovered Thereon, Against Other Persons, or Corporations, liable in Tort for Damages, on Account of Negligence Causing the Injuries, and Upon the Proceeds of the Settlements of Any Such Claims or Demands; and Upon and Against the Insurers of Such Tort Feasor or Tort Feasors; and Upon Insurance Held by the Injured Person, and Providing for Constructive Notice Upon Such Insurers, Tort Feasors and their Insurers, if any, by a Filing of a Lien Statement with the Clerk of the District Court of the County in Which Such Services Are Rendered.

Also,

Senate Bill No. 174. A Bill for an Act Providing for Uniform Title to Papers and Proceedings in Probate Court Practice, and for Form of Citation.

Also,

Senate Bill No. 230. A Bill for an Act to Amend and Re-enact Section 7745 of the Compiled Laws of North Dakota, for the Year 1913, Relating to the Notice to Be Given Upon Sale of Real Property Under Execution; Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the House has passed unchanged.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 2, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith and Making the Same an Emergency Measure.

Also,

Senate Bill No. 244. A Bill for an Act to Permit Fidelity and Surety Companies to Act as Sureties Upon Civil or Criminal Undertakings for Bail.

Also,

Senate Bill No. 245. A Bill for an Act to Fix the Venue of Crimes Committed in or Against Aircraft in Flight, and Upon Trains or Other Vehicles.

Also,

Senate Bill No. 246. A Bill for an Act to Provide for the Use of Alternate Jurors in Criminal Cases, and to Regulate the Practice of the Courts in Regard Thereto.

Which the House has passed unchanged.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 2, 1935.

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 137.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk

Senator Cain moved that the request of the House be granted and Senate Bill No. 137 returned.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 2, 1935.

Mr. Speaker: I have the honor to return Senate Bill No. 137 which the House has requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Matthaeci moved that House Bill No. 289 be amended as follows:

Change the period after the title to a comma and add the following language: "Relating to the Administration of County Poor Relief."

Which motion prevailed.

Senator Matthaeci moved that the rules be suspended and that House Bill No. 289, as amended, be placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 289. A Bill for an Act to Amend and Re-enact Subdivision 4 of Section 4 and Sections 13 and 14 of Chapter 97 of the Session Laws of 1933.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Coffey	Lemke	Strehlow
Crandall	Lind	Stucke
Drew	Marshall	Thatcher
Erickson	Matthaei	Thorson
Ettestad	McDonald	Topp
Fine	Miklethun	Trout
Fowler	Mutchler	Trovatten
Greene, Cavalier	Nelson, Barnes	Vinje
Handley	Owings	Watt
Kamrath	Peterson	Young
Kolpin		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Gronvold	Kroeber
Cain	Johnson	Lynn
Dubay	Jones	McGillic
Eastgate		

Absent and not voting:

Messrs.	Messrs.	
Bonzer	Greene, Stutsman	Whelan
Brostuen	Lowe	Wog
Fredrickson	Nelson, Grand Fks.	

So the bill passed and the title was agreed to.

House Bill No. 243. A Bill for an Act Permitting Deduction of Personal Property Taxes Due and Delinquent from Claims, Demands, Salaries, and Wages Due from Counties; Prescribing Duties of County Auditor in Connection Therewith; Giving Such Deduction Priority Over Any Sale, Transfer or Assignment of Such Claim, Demand, Salary and Wage; Repealing Section 4227 of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

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.
Braaten	Johnson	Nelson, Barnes
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lind	Thorson
Erickson	Lynn	Topp

Messrs.	Messrs.	Messrs.
Ettestad	Marshall	Trout
Fine	Matthaei	Trovatten
Fowler	McDonald	Vinje
Greene, Cavalier	McGillic	Watt
Gronvold	Miklethun	Young
Handley	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Whelan
Brostuen	Low	Wog
Fredrickson	Nelson, Grand Fks.	

So the bill passed and the title was agreed to.

House Bill No. 347. A Bill for an Act Relating to Relief and Rehabilitation Work Carried on in North Dakota by the Federal Emergency Relief Administration Through the North Dakota Rural Rehabilitation Corporation; Exempting From Taxation Moneys and/or Credits Coming Into the Possession of or Belonging to the North Dakota Rural Rehabilitation Corporation as a Result of Any Federal Grant or Gift for Relief or Rehabilitation Purposes, and Authorizing the State Treasurer, in Event of Dissolution of the North Dakota Rural Rehabilitation Corporation, to Accept Funds and Property on Hand or Belonging to the Corporation at the Time of Dissolution.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 34; nays, 9; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Brostuen	Johnson	Owings
Cain	Jones	Peterson
Coffey	Lind	Stucke
Crandall	Lynn	Thorson
Drew	Marshall	Topp
Dubay	Matthaei	Trout
Eastgate	McDonald	Trovatten
Ettestad	McGillic	Vinje
Fine	Miklethun	Watt
Fowler	Mutchler	Wog
Greene, Stutsman	Nelson, Barnes	Young
Gronvold		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Handley	Kroeber
Erickson	Kamrath	Lemke
Greene, Cavalier	Kolpin	Thatcher

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lowe	Strehlow
Fredrickson	Nelson, Grand Fks.	Whelan

So the bill passed and the title was agreed to.

Senator Erickson: "As I understand this bill, it is to legalize a corporation that was incorporated and filed with the Secretary of State last October. Until I get more information on it, I will have to vote 'no'."

House Bill No. 265. A Bill for an Act to Cancel All Interest and Penalty, Levied and Assessed Against Delinquent Real Estate Taxes and Providing for Redemption of Real Estate Sold or Forfeited to the County for the Years 1933, and All Prior Years, and Still Held by the County, Without Paying Interest or Penalty, if Said Taxes Are Paid During the Year 1935; Repealing All Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Miklethun
Braaten	Gronvold	Nelson, Barnes
Brostuen	Handley	Peterson
Cain	Johnson	Stucke
Coffey	Kamrath	Thatcher
Crandall	Kolpin	Thorson
Drew	Kroeber	Topp
Dubay	Lemke	Trout
Eastgate	Lind	Trovatten
Ettestad	Lynn	Vinje
Fine	Marshall	Watt
Fowler	Matthaei	Whelan
Fredrickson	McDonald	Wog
Greene, Cavalier	McGillic	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Jones	Mutchler	Owings

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Nelson, Grand Fks.	Strehlow
Lowe		

So the bill passed and the title was agreed to.

Senator Greene of Stutsman moved that the Senate recess for five minutes.

Which motion prevailed.

The Senate reconvened pursuant to a five minute recess, President pro tem. Marshall presiding.

Senator Greene of Stutsman moved that House Bill No. 339 be placed at the head of the calendar.

Which motion prevailed.

Senator Greene of Stutsman moved that House Bill No. 339 be further amended as follows:

At the end of line nine (9) from the bottom of page 11 of the Senate Journal of March 1st, following the word "provided," strike out the period, add a semi-colon and the following language: "Provided, however, that in the case of any land owner other than the original owner of the land, who acquired title to such land subsequent to the first day of January, 1928, such payments, as provided for herein, shall be made directly into the General Fund of the School District in which said land or lands is or are located, and in such event no credit shall be given on the unpaid or subsequent school taxes on such land or lands."

Which motion prevailed.

Senator Greene of Stutsman moved that the rules be suspended and that House Bill No. 339, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 339. A Bill for an Act Reducing, Defining and Limiting the Permanent Surplus Fund of the State Hail Insurance Department to Three Million (\$3,000,000) Dollars; Declaring the Reasons for Such Limitations Thereon; Providing the Manner of Disbursement and Refunding of Moneys in Excess of Said Sum; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Greene, Cavalier	Mutchler
Braaten	Greene, Stutsman	Owings
Brostuen	Gronvold	Peterson
Cain	Handley	Strehlow
Coffey	Johnson	Stucke
Crandall	Kamrath	Topp
Drew	Kolpin	Trovatten
Dubay	Kroeber	Vinje
Eastgate	Lemke	Watt
Ettestad	Marshall	Whelan
Fine	Matthaei	Wog

Messrs.	Messrs.	Messrs.
Fowler	McDonald	Young
Fredrickson	McGillic	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Lind	Nelson, Barnes	Thorson
Miklethun	Thatcher	Trout

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Lowe	Nelson, Grand Fks.
Jones	Lynn	

So the bill passed and the title was agreed to and the emergency clause was declared carried.

Senator Whelan moved that the vote by which House Bill No. 339 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Stucke: "I am unalterably opposed to Section 3 but inasmuch as we must make haste and get the Bill over to the House where I hope Section 3 will be eliminated, I vote Aye."

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 2, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 128. A Bill for an Act to Promote the Objects of the Act of Congress of the United States Entitled, "National Housing Act," approved June 27, 1934, and Acts Amendatory Thereof or Supplemental Thereto, by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, and Insurance Companies, to Make Loans Pursuant to Title I and II of the National Housing Act, and by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Subdivisions, and Institutions and Agencies Thereof, and All Other Persons, Associations and Corporations, Subject to the Laws of This State, to Invest in Mortgages Insured, and in Debentures Issued, by the Federal Housing Administrator, and to Invest in Securities of National Mortgage Associations or Similar National Mortgage Credit Institutions Now or Hereafter Organized Under Title III of the National Housing Act, and by Excepting Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its

Political Sub-divisions, and Institutions and Agencies Thereof, and All Other Persons, and Associations, Subject to the Laws of This State from the Application of Laws of This State Requiring Security Upon Which Loans or Investments May Be Made, or Limiting Making of Loans to Shareholders or Members of the Lender, or Prescribing the Nature, Amount or Form of Such Security, or Limiting or Prescribing the Interest Rates Upon Loans or Investments, or the Period for Which Loans or Investments May Be Made, Provided Such Loans, Securities or Investments Are Insured by the Federal Housing Administrator, and Providing for Invalidity, and Declaring an Emergency to Exist.

Also,

Senate Bill No. 220. A Bill for an Act to Suspend the Operating of Chapter 24 of the Political Code of the State of North Dakota for the Year 1913, Being Sections 1889 to 1902 Both Inclusive of Said Compiled Laws, Relating to the Enumeration of Inhabitants in the State of North Dakota; Declaring an Emergency.

Also,

Senate Bill No. 184. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys and Girls Club Work at State and District Fairs.

Also,

Senate Bill No. 172. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence

Also,

Senate Bill No. 163. A Bill for an Act Making an Appropriation to the University of North Dakota to Meet a Deficiency in the Appropriation for the Biennium Expiring June 30, 1935, for the Public Health Laboratories; and Declaring an Emergency.

Also,

Senate Bill No. 149. A Bill for an Act to Create a State Planning Board, Prescribing the Powers and Duties Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 148. A Bill for an Act Appropriating the Sum of Thirty Thousand (\$30,000.00) Dollars, or so Much Thereof as May Be Required, to Reimburse the Bank of North Dakota for Certain Funds Loaned to the State Historical Society, for the Purpose of Purchasing State Park Lands.

Also,

Senate Bill No. 232. A Bill for an Act to Make an Appropriation to Provide for Payment of a Deficit in the Maintenance of the National Guard Fund, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Brostuen moved the Senate do now adjourn.

Which motion prevailed.

FIFTY-FOURTH DAY

Senate Chamber,
Bismarck, North Dakota,
March 2, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. Hildebrand.

Roll call: All Senators were present except Senators Lowe and Nelson of Grand Forks.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-second day after recess and the Fifty-third day and found the same to be correct.

And recommend that the same be approved.

R. A. OWINGS,
Chairman.

Senator Owings moved that the report be adopted, which motion prevailed and the report was adopted.

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 67. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerk-hire, Postage and Travel Expense of the Office of Department of Agriculture and Labor.

Have had the same under consideration and recommend that the same be amended as follows:

At the end of the title, strike out the period, insert a comma in lieu thereof and add the following language: "And Declaring an Emergency."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Strehlow moved that all absent Senators be excused.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 2, 1935.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 72, and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives McIlraith, Smith and Dalzell.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 2, 1935.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 93, and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives Caddell, Stray and Langford.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 2, 1935.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 64, and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives Adam, Borstad and Downey.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

The Committee on Ways and Means made the following report:

Mr. President: Your Committee on Ways and Means to whom was referred:

House Bill No. 292. A Bill for an Act Authorizing and Empowering Cities and Villages to Issue Bonds for the Purpose of Purchasing Outstanding Special Improvement Warrants, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

GUST WOG,
Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. President: Your Committee on Ways and Means to whom was referred:

House Bill No. 287. A Bill for an Act Creating and Establishing a Lien in Connection With the Planting, Cultivation and Harvesting of Sugar Beets, to Be Known as Sugar Beet Crop Production Lien, Providing the Manner in Which Such Lien Shall Be Perfected, the Priority Thereof, Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

GUST WOG,
Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. President: Your Committee on Ways and Means to whom was referred:

House Bill No. 176. A Bill for an Act Authorizing the Board of County Commissioners to Provide Room or Rooms in the Courthouse for the Exclusive Use of ex-Service Men Who Served in Any War in Which the United States Has Been Engaged.

Have had the same under consideration and recommend that the same do pass.

GUST WOG,
Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. President: Your Committee on Ways and Means to whom was referred:

House Bill No. 204. A Bill for an Act to Repeal Section 10185b of the Supplement to the 1913 Compiled Laws of North Dakota Relating to Prohibiting Smoking in Specified Places, and the Penalties, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

GUST WOG,
Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. President: Your Committee on Ways and Means to whom was referred:

House Bill No. 236. A Bill for an Act to Amend and Re-enact Section 409 of the Compiled Laws of North Dakota for 1913 as Amended by Chapter 105 of the Session Laws of North Dakota for 1929, Relating to Compensation of President, Vice President of the Board of Health and County Superintendent of Health, Mileage and Expenses, and Repealing All Acts in Conflict Therewith.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 1, page 2, line 19 of the printed bill, strike out the word "ten" and insert in lieu thereof the word "five."

And when so amended recommend the same do pass.

GUST WOG,
Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Bonzer moved that the Senate do concur in the House amendment to Senate Bill No. 177.

Which motion prevailed.

Senator Bonzer moved that the rules be suspended and that Senate Bill No. 177, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Subdivision (c) of Section 25 of Chapter 186, Session

Laws of 1931, as Amended by Chapter 160 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Johnson	Nelson, Barnes
Coffey	Jones	Owings
Crandall	Kamrath	Peterson
Drew	Kolpin	Strehlow
Dubay	Kroeber	Stucke
Erickson	Lemke	Thatcher
Ettestad	Lind	Thorson
Fine	Lynn	Topp
Fowler	Marshall	Trout
Fredrickson	Matthaei	Trovatten
Greene, Cavalier	McDonald	Vinje
Greene, Stutsman	McGillic	Whelan
Gronvold	Miklethun	Wog
Handley	Mutchler	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Eastgate	Nelson, Grand Fks.
Brostuen	Lowe	Watt
Cain		

So the bill passed and the title was agreed to and the emergency clause was declared carried.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 2, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 177.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 2, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 339. A Bill for an Act Reducing, Defining

and Limiting the Permanent Surplus Fund of the State Hail Insurance Department to Three Million (\$3,000,000) Dollars; Declaring the Reasons for Such Limitations Thereon; Providing the Manner of Disbursement and Refunding of Moneys in Excess of Said Sum; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

Which the Senate has amended as shown in the Senate Journal of March 1, 1935, on pages 9-10-11-12.

And further amendments as follows:

At the end of line nine (9) from the bottom of page 11 of the Senate Journal of March 1st, following the word "provided," strike out the period, add a semi-colon and the following language: "Provided, however, that in the case of any land owner other than the original owner of the land, who acquired title to such land subsequent to the first day of January, 1928, such payments, as provided for herein, shall be made directly into the General Fund of the School District in which said land or lands is or are located, and in such event no credit shall be given on the unpaid or subsequent school taxes on such land or lands."

Very respectfully.

F. E. TUNELL,
Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 250. A Bill for an Act Validating Certain County Warrants for Poor Relief Issued Under and by Virtue of Section 4, Chapter 98 of Session Laws of North Dakota for 1933, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 36; nays, 4; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Jones	Nelson, Barnes
Coffey	Kamrath	Owings
Crandall	Kolpin	Peterson
Drew	Kroeber	Strehlow
Erickson	Lind	Stucke
Ettestad	Lynn	Thatcher
Fine	Marshall	Topp
Fredrickson	Matthaei	Trout
Greene, Cavalier	McDonald	Trovatten
Greene, Stutsman	McGillic	Vinje
Gronvold	Miklethun	Whelan
Handley	Mutchler	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Johnson	Thorson	Young
Lemke		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Dubay	Lowe
Brostuen	Eastgate	Nelson, Grand Fks.
Cain	Fowler	Watt

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Matthaei moved that House Bill No. 359 be placed at the head of the calendar.

Which motion prevailed.

Senator Thatcher moved that House Bill No. 359 be amended as follows:

In line 4 after the word "daily," insert the words "and other."

The same to apply to the title also.

Which motion prevailed.

Senator Thatcher moved that the rules be suspended and that House Bill No. 359, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 359. A Bill for an Act to Authorize, Direct and Empower the State Board of Administration to Provide, Furnish and Equip a Room in the State Capitol Office Building for the Exclusive Use of Representatives of Accredited Press Associations and Daily Newspapers.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 29; nays, 12; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	Peterson
Cain	Kolpin	Strehlow
Coffey	Kroeber	Thatcher
Crandall	Lemke	Topp
Drew	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fowler	Matthaei	Wheilan
Fredrickson	McDonald	Wog

Messrs.	Messrs.	Messrs.
Gronvold	McGillic	Young
Johnson	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Handley	Mutchler
Dubay	Kamrath	Owings
Erickson	Lind	Thorson
Greene, Cavalier	Miklethun	Trout

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brostuen	Greene, Stutsman	Stucke
Eastgate	Lowe	Watt
Fine	Nelson, Grand Fks.	

So the bill passed and the title was agreed to.

The President pro tem. called Senator Peterson to the chair to preside.

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5, of Chapter 235 of the Session Laws of 1929, as Amended by Chapter 297 of the Session Laws of 1931, Relating to Tax Levy, Limitations of Cities.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 40; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Mutchler
Braaten	Jones	Nelson, Barnes
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Thorson
Drew	Lemke	Topp
Dubay	Lind	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Gronvold	Miklethun	Young
Handley		

Those voting in the negative were:

Messrs.	Messrs.
Owings	Thatcher

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brostuen	Greene, Stutsman	Nelson, Grand Fks.
Eastgate	Lowe	Stucke
Fredrickson		

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarek, North Dakota,
March 2, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 168. A Bill for an Act to Require the Appraising of the Use of Butter Substitutes on Popcorn Sold or Offered for Sale and Providing Penalties for Violation.

Also,

House Bill No. 298. A Bill for an Act Requiring Safety Shatter-proof Glass in Automobiles, Taxis, Passenger and School Busses.

Also,

House Bill No. 167. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 111 of the 1933 Session Laws Known as the "Flour Label Act" and Declaring it an Emergency.

Also,

House Bill No. 221. A Bill for an Act Granting Easements to the United States for Rights of Way Over Lands Owned by the State of North Dakota for Ditches, Dams, Dikes, Fills, Spillways, or Other Structures Now Constructed or to Be Constructed by the United States of America, Its Instrumentalities or Agencies, for the Purpose of Water and/or Wildlife Conservation.

Also,

House Bill No. 206. A Bill for an Act Fixing the Maximum Annual Salary Which May Be Paid the Assistant Dairy Commissioners, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 174. A Bill for an Act to Amend and Re-enact Sections 9, 11 and 36 of Chapter 179 of the Session Laws of North Dakota for the Year 1927 as Amended by Sections 4, 5 and 12 of Chapter 160 of the Session Laws of North Dakota of 1933; Having to Do With the Applications for Registration of Motor Vehicles, Duties of Registrar, Registration Cards and Certificate of Application for License Made.

Also,

House Bill No. 243. A Bill for an Act Permitting Deduction of Personal Property Taxes Due and Delinquent from Claims, Demands, Salaries, and Wages Due from Counties; Prescribing Duties of County Auditor in Connection Therewith; Giving Such Deduction Priority Over Any Sale, Transfer or Assignment of Such Claim, Demand, Salary and Wage; Repealing Section 4227 of the Compiled Laws of North Dakota for 1913 and All Acts or Parts of Acts in Conflict Herewith.

Which the Senate has passed unchanged.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Cain moved that House Bill No. 154 be amended as follows:

In line 10 of the printed bill, strike out the word "county."

Senator Cain withdrew his motion.

House Bill No. 154. A Bill for an Act Requiring Deduction of Delinquent Personal Property Taxes From Salaries or Other Compensation of Elective and Appointive Officers, Agents and Employees of the State of North Dakota, All Bureaus, Boards, Commissions and Departments, and All Persons receiving Public Funds.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Johnson	Nelson, Barnes
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Thatcher
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Gronvold	Miklethun	Wog
Handley	Mutchler	Young

Those voting in the negative were:

Messrs.
Braaten

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brostuen	Greene, Stutsman	Nelson, Grand Fks.
Fredrickson	Lowe	Stucke

So the bill passed and the title was agreed to.

House Bill No. 156. A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for the Years 1935 and 1936 for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 27; nays, 14; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Greene, Cavalier	Miklethun
Cain	Gronvold	Mutchler
Crandall	Handley	Peterson
Drew	Lind	Strehlow
Dubay	Lynn	Thatcher
Eastgate	Marshall	Vinje
Erickson	Matthaei	Watt
Fine	McDonald	Whelan
Fowler	McGillic	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Coffey	Kolpin	Thorson
Ettestad	Kroeber	Topp
Johnson	Lemke	Trout
Jones	Nelson, Barnes	Trovatten
Kamrath	Owings	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Stucke
Brostuen	Lowe	Wog
Fredrickson	Nelson, Grand Fks.	

So the bill passed and the title was agreed to, and the emergency clause declared lost.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 2, 1935.

Mr. President: I have the honor to inform you that the

House requests the return of Senate Bill No. 147.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 2, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 128. A Bill for an Act to Promote the Objects of the Act of Congress of the United States Entitled, "National Housing Act," approved June 27, 1934, and Acts Amendatory Thereof or Supplemental Thereto, by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, and Insurance Companies, to Make Loans Pursuant to Title I and II of the National Housing Act, and by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Sub-divisions, and Institutions and Agencies Thereof, and All Other Persons, Associations and Corporations, Subject to the Laws of This State, to Invest in Mortgages Insured, and in Debentures Issued, by the Federal Housing Administrator, and to Invest in Securities of National Mortgage Associations or Similar National Mortgage Credit Institutions Now or Hereafter Organized Under Title III of the National Housing Act, and by Excepting Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Sub-divisions, and Institutions and Agencies Thereof, and All Other Persons, and Associations, Subject to the Laws of This State from the Application of Laws of This State Requiring Security Upon Which Loans or Investments May Be Made, or Limiting Making of Loans to Shareholders or Members of the Lender, or Prescribing the Nature, Amount or Form of Such Security, or Limiting or Prescribing the Interest Rates Upon Loans or Investments, or the Period for Which Loans or Investments May Be Made, Provided Such Loans, Securities or Investments Are Insured by the Federal Housing Administrator, and Providing for Invalidity, and Declaring an Emergency to Exist.

Also,

Senate Bill No. 232. A Bill for an Act to Make an Appropriation to Provide for Payment of a Deficit in the Maintenance of the National Guard Fund, and Declaring an Emergency.

Senate Bill No. 148. A Bill for an Act Appropriating the Sum of Thirty Thousand (\$30,000.00) Dollars, or so Much Thereof as May Be Required, to Reimburse the Bank of North Dakota for Certain Funds Loaned to the State His-

torical Society, for the Purpose of Purchasing State Park Lands.

Also,

Senate Bill No. 149. A Bill for an Act to Create a State Planning Board, Prescribing the Powers and Duties Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 163. A Bill for an Act Making an Appropriation to the University of North Dakota to Meet a Deficiency in the Appropriation for the Biennium Expiring June 30, 1935, for the Public Health Laboratories; and Declaring an Emergency.

Also,

Senate Bill No. 220. A Bill for an Act to Suspend the Operating of Chapter 24 of the Political Code of the State of North Dakota for the Year 1913, Being Sections 1889 to 1902 Both Inclusive of Said Compiled Laws, Relating to the Enumeration of Inhabitants in the State of North Dakota; Declaring an Emergency.

Also,

Senate Bill No. 172. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence

Also,

Senate Bill No. 184. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys and Girls Club Work at State and District Fairs.

Which the Speaker has signed.

Also transmit:

House Bill No. 158. A Bill for an Act to Amend Section 2817 of the Compiled Laws of North Dakota for the Year 1913 Relating to Noxious Weeds, the Definition of Noxious Weeds and the Manner of Destroying the Same.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 2, 1935.

Mr. President: I have the honor to inform you that the

House has concurred in the Senate amendment to House Bill No. 339.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Johnson moved that Senate Bill No. 147 be returned to the House as requested.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 2, 1935.

Mr. Speaker: I have the honor to return herewith Senate Bill No. 147 which the House has requested.

Very respectfully,

F. E. TUNELL,
Secretary.

House Bill No. 161. A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled Laws, as Amended by Chapter 247 of the Session Laws of 1933, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 40; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Thatcher
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Fine	Lynn	Trovatten
Fowler	Marshall	Vinje
Fredrickson	Matthaei	Watt
Greene, Cavalier	McDonald	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young
Handley		

Those voting in the negative were:

Messrs.
Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Ettestad	Nelson, Grand Fks.
Cain	Lowe	Stucke
Erickson	McGillic	

So the bill passed and the title was agreed to, and the emergency clause declared carried.

House Bill No. 202. A Bill for an Act Amending and Re-enacting Chapter 94, Session Laws of the State of North Dakota for the Year 1933.

Was read the second time.

ROLL CALL

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.
Braaten	Kolpin	Peterson
Brostuen	Kroeber	Strehlow
Drew	Lemke	Stucke
Dubay	Lind	Thatcher
Eastgate	Lynn	Topp
Fine	Marshall	Trout
Fowler	Matthaei	Trovatten
Fredrickson	McDonald	Vinje
Greene, Stutsman	Miklethun	Whelan
Gronvold	Mutchler	Wog
Johnson	Owings	Young
Kamrath		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Coffey	Handley	Thorson
Crandall	Nelson, Barnes	Watt
Greene, Cavalier		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Ettestad	McGillic
Cain	Jones	Nelson, Grand Fks.
Erickson	Lowe	

So the bill passed and the title was agreed to.

President pro tem. Marshall resumed the chair.

The President announced the appointment of Senators Fine, Gronvold and Johnson as the Senate Conference Committee on House Bill No. 64.

Also,

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Senators Erickson, Greene of Cavalier and Kroeber as the Senate Conference Committee on House Bill No. 72.

Also,

Senators Greene of Stutsman, Fowler and Whelan as the Senate Conference Committee on House Bill No. 93.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 2, 1935.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 64 Senators Fine, Gronvold and Johnson.

Very respectfully,

F. E. TUNELL,
Secretary

Senate Chamber,
Bismarck, North Dakota,
March 2, 1935.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 72 Senators Erickson, Greene of Cavalier and Kroeber.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 2, 1935.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 93 Senators Greene of Stutsman, Fowler and Whelan.

Very respectfully,

F. E. TUNELL,
Secretary.

House Bill No. 79. A Bill for an Act to Provide for Fraud or Fraudulent Concealment of Facts Constituting a Cause of Action, to Postpone or Toll the Running of the Statute of Limitations.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 39; nays, 2; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kamrath	Peterson
Braaten	Kolpin	Strehlow
Brostuen	Kroeber	Stucke
Coffey	Lemke	Thatcher
Drew	Lind	Thorson
Dubay	Lynn	Topp
Fine	Marshall	Trout
Fowler	Matthaei	Trovatten
Fredrickson	McDonald	Vinje
Greene, Cavalier	Miklethun	Watt
Greene, Stutsman	Mutchler	Whelan
Handley	Nelson, Barnes	Wog
Johnson	Owings	Young

Those voting in the negative were:

Messrs.	Messrs.
Eastgate	Gronvold

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Ettestad	McGillic
Crandall	Jones	Nelson, Grand Fks.
Erickson	Lowe	

So the bill passed and the title was agreed to.

House Bill No. 179. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 235 of the 1933 Session Laws Prescribing and Limiting the Time to Which Basic Text Books May Be Changed in the Schools and Educational Institutions in This State.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 32; nays, 6, absent and not voting, 11.

ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kroeber	Strehlow
Braaten	Lemke	Stucke
Brostuen	Lynn	Thatcher
Dubay	Marshall	Thorson
Eastgate	McDonald	Topp
Fredrickson	McGillic	Trout
Greene, Cavalier	Miklethun	Vinje
Greene, Stutsman	Mutchler	Watt
Handley	Nelson, Barnes	Whelan
Kamrath	Owings	Wog
Kolpin	Peterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Coffey	Gronvold	Trovatten
Drew	Johnson	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Fine	Lowe
Crandall	Fowler	Matthaei
Erickson	Jones	Nelson, Grand Fks.
Ettestad	Lind	

So the bill passed and the title was agreed to.

Senator Owings moved that action on House Bill No. 92 be deferred for a few minutes.

Which motion prevailed.

House Bill No. 30. A Bill for an Act Making an Appropriation for the use by the Board of Administration in Administering Child Welfare Laws.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 38; nays, 2; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Handley	Peterson
Brostuen	Kolpin	Strehlow
Cain	Kroeber	Stucke
Coffey	Lemke	Thatcher
Crandall	Lynn	Topp
Drew	Marshall	Trout
Dubay	Matthaei	Trovatten
Eastgate	McDonald	Vinje
Ettestad	McGillic	Watt
Fowler	Miklethun	Whelan
Fredrickson	Mutchler	Wog
Greene, Stutsman	Nelson, Barnes	Young
Gronvold	Owings	

Those voting in the negative were:

Messrs.	Messrs.
Kamrath	Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Cavalier	Lind
Erickson	Johnson	Lowe
Fine	Jones	Nelson, Grand Fks.

So the bill passed and the title was agreed to.

House Bill No. 60. 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 second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Gronvold	Mutchler
Brostuen	Handley	Nelson, Barnes
Cain	Johnson	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lynn	Topp
Ettestad	Marshall	Trout
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young

Those voting in the negative were:

Messrs.
Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	Nelson, Grand Fks.
Erickson	Lind	Trovatten
Fine	Lowe	Whelan

So the bill passed and the title was agreed to.

HOUSE CONCURRENT RESOLUTION A-12

Senator Brostuen moved that House Concurrent Resolution A-12 be adopted.

Which motion prevailed, and the resolution was adopted.

HOUSE CONCURRENT RESOLUTION A-18

Senator Drew moved that further consideration of House Concurrent Resolution A-18 be indefinitely postponed.

Which motion prevailed.

HOUSE CONCURRENT RESOLUTION A-16

Senator Thorson moved that further consideration of House Concurrent Resolution A-16 be indefinitely postponed.

Which motion prevailed.

House Bill No. 97. A Bill for an Act to Amend and Re-enact Chapter 19 of the Political Code of the Compiled Laws of North Dakota for the Year 1913, Relating to the North Dakota Firemen's Association and Providing an Appropriation for the Use of Such Association in Promoting Regional Fire Schools, and Other Activities of Such Association.

Was read the second time.

ROLL CALL

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.
Bonzer	Fredrickson	McGillic
Braaten	Greene, Stutsman	Miklethun
Brostuen	Gronvold	Mutchler
Cain	Handley	Nelson, Barnes
Coffey	Johnson	Owings
Crandall	Kolpin	Stucke
Drew	Kroeber	Topp
Dubay	Lemke	Trovatten
Eastgate	Lind	Vinje
Erickson	Lynn	Watt
Ettestad	Marshall	Whelan
Fine	Matthaei	Wog
Fowler	McDonald	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Greene, Cavalier	Peterson	Thorson
Kamrath	Strehlow	Trout

Absent and not voting:

Messrs.	Messrs.	Messrs.
Jones	Nelson, Grand Fks.	Thatcher
Lowe		

So the bill passed and the title was agreed to.

Senator Miklethun moved that House Concurrent Resolution A-13 be amended as follows:

On page 2, line 12, change the word "five" to "four."

Which motion prevailed.

Senator Miklethun moved that the rules be suspended and that House Concurrent Resolution A-13, as amended, be placed upon second reading and final passage.

Which motion prevailed.

HOUSE CONCURRENT RESOLUTION A-13

Was read the second time.

ROLL CALL

The question being on the final adoption of the resolution, as amended, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Owings
Brostuen	Johnson	Peterson
Cain	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thorson
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman	Mutchler	

Those voting in the negative were:

Messrs.
Coffey

Absent and not voting:

Messrs.	Messrs.	Messrs.
Jones	Nelson, Grand Fks.	Thatcher
Lowe		

So the resolution was adopted.

Senator Owings moved that House Bill No. 92 be amended as follows:

In the title after the word "of," insert the following language: "the Supplement to."

The same is applied to line 1, Section one.

Senator Peterson moved that further consideration of House Bill No. 92 be indefinitely postponed.

Which motion prevailed.

Senator Whelan asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Whelan moved that Senate Bill No. 198 which was requested to be returned from the House, be retained by the House.

Which motion prevailed.

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MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 2, 1935.

Mr. President: I have the honor to inform you that the Senate has reconsidered its request to return Senate Bill No. 198 and now requests that the bill be retained by the House for further action by the House.

Very respectfully,

F. E. TUNELL,
Secretary.

The President pro tem. called Senator Ettestad to the chair to preside.

House Bill No. 81. A Bill for an Act Making an Emergency Appropriation to Provide for the Payment of the Salaries of Assistant Dairy Commissioners, Official Tester, Clerkhire, Office Supplies, Printing, Postage, Travel Expenses, Auto Exchange and Miscellaneous Expenses for the Office of Dairy Commissioner, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Kamrath	Owings
Brostuen	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Crandall	Lemke	Stucke
Drew	Lind	Thatcher
Dubay	Lynn	Topp
Eastgate	Marshall	Trout
Erickson	Matthaei	Trovatten
Ettestad	McDonald	Vinje
Fredrickson	McGillic	Watt
Greene, Cavalier	Miklethun	Whelan
Greene, Stutsman	Mutchler	Wog
Handley	Nelson, Barnes	Young

Those voting in the negative were:

Messrs.
Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fowler	Jones
Cain	Gronvold	Lowe
Fine	Johnson	Nelson, Grand Fks.

So the bill passed and the title was agreed to, and the emergency clause declared carried.

House Bill No. 132. A Bill for an Act Making a Special Appropriation to Cover Deficits in the Clerk Hire, Printing, Postage and Office Supplies Funds for the Maintenance and Operation of the Workmen's Compensation Bureau.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 26; nays, 12; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Lind	Peterson
Dubay	Marshall	Stucke
Erickson	Matthaei	Thatcher
Ettestad	McDonald	Topp
Fredrickson	McGillic	Vinje
Greene, Cavalier	Miklethun	Watt
Greene, Stutsman	Mutchler	Wog
Handley	Nelson, Barnes	Young
Kolpin	Owings	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Eastgate	Thorson
Coffey	Kroeber	Trout
Crandall	Lemke	Trovatten
Drew	Strehlow	Whelan

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Lowe
Cain	Johnson	Lynn
Fine	Jones	Nelson, Grand Fks.
Fowler	Kamrath	

So the bill passed and the title was agreed to, and the emergency clause declared carried.

House Bill No. 25. 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 second time.

ROLL CALL

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.
Braaten	Kolpin	Strehlow

Messrs.	Messrs.	Messrs.
Brostuen	Kroeber	Stucke
Coffey	Lemke	Thatcher
Crandall	Lind	Thorson
Drew	Marshall	Topp
Dubay	Matthaei	Trout
Eastgate	McDonald	Trovatten
Erickson	Miklethun	Vinje
Ettestad	Mutchler	Watt
Fredrickson	Nelson, Barnes	Whelan
Greene, Cavalier	Owings	Wog
Greene, Stutsman	Peterson	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Lowe
Cain	Johnson	Lynn
Fine	Jones	McGillic
Fowler	Kamrath	Nelson, Grand Fks.

So the bill passed and the title was agreed to.

House Bill No. 13. 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 second time.

ROLL CALL

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.
Braaten	Kolpin	Strehlow
Brostuen	Kroeber	Stucke
Coffey	Lemke	Thatcher
Crandall	Lind	Thorson
Drew	Lynn	Topp
Dubay	Marshall	Trout
Eastgate	Matthaei	Trovatten
Erickson	McDonald	Vinje
Ettestad	Miklethun	Watt
Fredrickson	Mutchler	Whelan
Greene, Cavalier	Nelson, Barnes	Wog
Greene, Stutsman	Owings	Young
Handley	Peterson	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Lowe
Cain	Johnson	McGillic
Fine	Jones	Nelson, Grand Fks.
Fowler	Kamrath	

So the bill passed and the title was agreed to.

Senator Marshall moved that Bills carrying an emergency clause be deferred until the return of the Conference Committees.

Which motion prevailed.

Senator McDonald moved that House Bill No. 44 be amended as follows:

In line 12, page 2, strike out the figures \$60,000, and insert in lieu thereof the figures \$69,800.

Which motion was lost.

Senator McDonald moved that House Bill No. 44 be amended as follows:

In line 18, page 2, change the figure from \$6,500, to \$7,500.

Which motion was lost.

Senator McDonald moved that House Bill No. 44 be amended as follows:

In line 20, page 2, change the figure \$5,000 to \$8,000.

Which motion was lost.

House Bill No. 44. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 39; nays, 2; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Topp
Eastgate	Marshall	Trout
Ettestad	Matthaei	Trovatten
Fowler	McDonald	Vinje
Fredrickson	McGillic	Watt
Greene, Cavalier	Miklethun	Wog
Gronvold	Mutchler	Young

Those voting in the negative were:

Messrs.	Messrs.
Thorson	Whelan

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Lynn
Erickson	Jones	Nelson, Grand Fks.
Fine	Lowe	

So the bill passed and the title was agreed to.

House Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 35; nays, 7; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Brostuen	Gronvold	Mutchler
Cain	Handley	Nelson, Barnes
Coffey	Johnson	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Ettestad	Marshall	Trovatten
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Wog
Greene, Cavalier	McGillic	Young
Greene, Stutsman	Miklethun	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Thatcher	Watt
Kamrath	Thorson	Whelan
Owings		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	Lynn
Erickson	Lowe	Nelson, Grand Fks.
Fine		

So the bill passed and the title was agreed to.

House Bill No. 61. 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 second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Greene, Stutsman	Miklethun
Cain	Gronvold	Mutchler
Coffey	Handley	Nelson, Barnes
Crandall	Johnson	Peterson
Drew	Kolpin	Stucke
Dubay	Kroeber	Thatcher
Eastgate	Lemke	Topp
Ettestad	Lind	Trovatten
Fowler	Marshall	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Owings	Trout
Kamrath	Strehlow	Whelan
Matthaei	Thorson	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	Lynn
Erickson	Lowe	Nelson, Grand Fks.
Fine		

So the bill passed and the title was agreed to.

House Bill No. 365. A Bill for an Act Providing That Teachers Who Served in the United States Armed Forces During the World War Shall Be Entitled to Have the Time of Said Service Counted "Teaching Service" Under the Teachers' Insurance and Retirement Law Upon Payment of the Assessments for the Time of Said Service; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke

Messrs.	Messrs.	
Drew	Lemke	Thatcher
Dubay	Lind	Topp
Eastgate	Marshall	Trout
Ettestad	Matthaei	Trovatten
Fredrickson	McDonald	Vinje
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Those voting in the negative were:

Messrs.
Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fowler	Lynn
Erickson	Jones	Nelson, Grand Fks.
Fine	Lowe	Watt

So the bill passed and the title was agreed to.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 2, 1935.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 339. A Bill for an Act Reducing, Defining and Limiting the Permanent Surplus Fund of the State Hail Insurance Department to Three Million (\$3,000,000) Dollars; Declaring the Reasons for Such Limitations Thereon; Providing the Manner of Disbursement and Refunding of Moneys in Excess of Said Sum; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Fowler asked unanimous consent to return to the Eighth Order of Business.

Which request was granted.

President pro tem. Marshall resumed the chair.

SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 339. A Bill for an Act Reducing, Defining

and Limiting the Permanent Surplus Fund of the State Hail Insurance Department to Three Million (\$3,000,000) Dollars; Declaring the Reasons for Such Limitations Thereon; Providing the Manner of Disbursement and Refunding of Moneys in Excess of Said Sum; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 2, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 339. A Bill for an Act Reducing, Defining and Limiting the Permanent Surplus Fund of the State Hail Insurance Department to Three Million (\$3,000,000) Dollars; Declaring the Reasons for Such Limitations Thereon; Providing the Manner of Disbursement and Refunding of Moneys in Excess of Said Sum; Repealing All Acts or Parts of Acts in Conflict Herewith; Declaring an Emergency.

Which the President has signed.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Fowler asked unanimous consent to proceed to the Fourteenth Order of Business.

Which request was granted.

Senator Thatcher moved that House Concurrent Resolution A-4 be amended as follows:

On page 2, line 17, after the word "officers," insert a period and strike out the balance of lines 17, 18 and 19."

Which motion was lost.

HOUSE CONCURRENT RESOLUTION "A-4"

Was read the second time.

ROLL CALL

The question being on the final adoption of the Resolution, the roll was called and there were ayes, 40; nays, 2; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Johnson	Owings
Brostuen	Kamrath	Peterson

Messrs.	Messrs.	Messrs.
Cain	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Marshall	Topp
Erickson	Matthaei	Trout
Ettestad	McDonald	Trovatten
Fine	McGillic	Vinje
Fowler	Miklethun	Watt
Fredrickson	Mutchler	Wog
Greene, Stutsman	Nelson, Barnes	Young
Gronvold		

Those voting in the negative were:

Messrs.	Messrs.
Coffey	Handley

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lowe	Nelson, Grand Fks.
Greene, Cavalier	Lynn	Whelan
Jones		

So the resolution was adopted.

Senator Cain moved that House Bill No. 182 be amended as follows:

Following the figures "3999," strike out the word and figure "subdivision 3."

Which motion prevailed.

Senator Cain moved that the rules be suspended and that House Bill No. 182, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 182. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 219 of the Session Laws of North Dakota of the Year 1923 (Section 3999, Subdivision 3, Supplement 1925.)

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Johnson	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke

Messrs.	Messrs.	Messrs.
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Marshall	Topp
Erickson	Matthaei	Trout
Ettestad	McDonald	Trovatten
Fine	McGillic	Vinje
Fowler	Miklethun	Watt
Fredrickson	Mutchler	Wog
Greene, Stutsman	Nelson, Barnes	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Lynn
Brostuen	Jones	Nelson, Grand Fks.
Greene, Cavalier	Lowe	Whelan

So the bill passed and the title was agreed to.

House Bill No. 133. A Bill for an Act Authorizing Judges of the District Court to Request the Attorney General to Perform Certain Duties Relating to Criminal Matters, Providing for Payment of Expenses in Connection Therewith, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Gronvold	Nelson, Barnes
Cain	Handley	Owings
Coffey	Johnson	Peterson
Crandall	Kamrath	Strehlow
Drew	Kolpin	Stucke
Dubay	Kroeber	Thatcher
Eastgate	Lemke	Thorson
Erickson	Marshall	Topp
Ettestad	Matthaei	Trout
Fine	McDonald	Trovatten
Fowler	McGillic	Vinje
Fredrickson	Miklethun	Watt
Greene, Cavalier	Mutchler	Wog
Greene, Stutsman		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lind	Nelson, Grand Fks.
Brostuen	Lowe	Whelan
Jones	Lynn	Young

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 2, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 250. A Bill for an Act Validating Certain County Warrants for Poor Relief Issued Under and by Virtue of Section 4, Chapter 98 of Session Laws of North Dakota for 1933, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 161. A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled Laws, as Amended by Chapter 247 of the Session Laws of 1933, and Declaring an Emergency.

Also,

House Bill No. 202. A Bill for an Act Amending and Re-enacting Chapter 94, Session Laws of the State of North Dakota for the Year 1933.

Also,

House Bill No. 179. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 235 of the 1933 Session Laws Prescribing and Limiting the Time to Which Basic Text Books May Be Changed in the Schools and Educational Institutions in This State.

Also,

House Bill No. 97. A Bill for an Act to Amend and Re-enact Chapter 19 of the Political Code of the Compiled Laws of North Dakota for the Year 1913, Relating to the North Dakota Firemen's Association and Providing an Appropriation for the Use of Such Association in Promoting Regional Fire Schools, and Other Activities of Such Association.

Also,

House Bill No. 132. A Bill for an Act Making a Special Appropriation to Cover Deficits in the Clerk Hire, Printing, Postage and Office Supplies Funds for the Maintenance and Operation of the Workmen's Compensation Bureau.

Also,

House Bill No. 25. 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.

Also,

House Bill No. 13. A Bill for an Act Making an Appro-

riation for the Purpose of Paying Salary and Miscellaneous General Expenses of the Department of Minimum Wage.

Also,

House Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

Which the Senate has passed unchanged.

Also return:

HOUSE CONCURRENT RESOLUTION "A-12"

Which the Senate has adopted unchanged.

Also return:

House Bill No. 329. A Bill for an Act Relating to Transportation or Amounts Allowed in Lieu Thereof, and Providing for Division Among Families; Repealing Acts in Conflict.

Also,

House Bill No. 280. A Bill for an Act to Amend and Re-enact Section 9020 of the Compiled Laws of North Dakota for the Year 1913, Relating to Surety for Costs Where Plaintiff is a Non-resident of the State or a Corporation and Exempting from the Operation of Said Section Public Corporations of the State of North Dakota and Corporations That Are Instrumentalities or Agencies of the United States of America.

Also,

House Bill No. 235. A Bill for an Act to Amend and Re-enact Section 9070 of the 1913 Compiled Laws of the State of North Dakota Relating to Notice to Vacate Premises.

Also,

House Bill No. 134. A Bill for an Act Amending Section 160 of the 1925 Supplement to the Compiled Laws of North Dakota, Relating to the Appointment of Assistant and Special Assistant Attorneys General, Providing for Their Compensation and Duties, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 310. A Bill for an Act Establishing Methods for Determining Division Lines Between Adjoining Owners of Agricultural Lands; Authorizing Survey by County Surveyor and Requiring Adjoining Owners to Share the Expense; Providing Methods for Collecting Said Expense.

Also,

House Bill No. 193. A Bill for an Act Prohibiting the Deposit of Any Public Funds by Any State, County, School

Township or Any Board or Commission in Any Bank, Unless at Least 51% of the Stock of Said Bank is Owned by Actual Residents of the State of North Dakota.

Also,

House Bill No. 92. A Bill for an Act to Amend and Re-enact Section 1176 of the Compiled Laws of 1913, Relating to Furniture, Maps, Register and School Library to be Furnished.

Also,

HOUSE CONCURRENT RESOLUTION "A-16"

Also,

HOUSE CONCURRENT RESOLUTION "A-18"

Which the Senate has indefinitely postponed.

Very respectfully,

F. E. TUNELL,
Secretary.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 169. A Bill for an Act to Amend and Re-enact Chapter 120, Session Laws of the State of North Dakota for 1933, Relating to the Disposition of Money Collected by the Game and Fish Commission; Providing for the Conservation of Water, and the Construction of Dams Within the State, and Declaring an Emergency.

Also,

House Bill No. 17. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota.

Also,

House Bill No. 18. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

House Bill No. 33. 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 1923, the Same Being Sections 2790a1-2790a18 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 19. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota.

House Bill No. 20. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

House Bill No. 9. A Bill for 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.

Also,

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Also,

House Bill No. 12. 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 1917, the Same Being Section 663a1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 11. 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.

Also,

House Bill No. 14. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Also,

House Bill No. 15. A Bill for an Act Making an Appropriation for the Care of Feeble Minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Also,

House Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927 and Chapter 74, Laws of 1929.

Also,

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Carrying Out the Provisions of Chapter 203, Session Laws 1919, and Chapter 115, Session Laws 1921, the Same Being Sections 1471b1 and 1471b9 and

1471c1 to 1471c8 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 32. 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 Chapters 26 and 152, Session Laws of 1915, the same Being Sections 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 83. A Bill for an Act Making an Appropriation for the Purchase of Certain Lots Within the Plat of Capitol Park Adjoining the Capitol Buildings in the City of Bismarck, North Dakota, and Providing for Method of Disbursements Thereof.

Also,

House Bill No. 136. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend from the Present Sewerage System of the State Training School to Connect with the Syndicate Sewer of the City of Mandan; Making an Appropriation Therefor; and Declaring an Emergency.

Also,

House Bill No. 139. A Bill for an Act to Amend and Re-enact Sections 2003a1 and 2003a2 of the 1925 Supplement to the 1913 Compiled Laws Relating to the Cutting of Noxious Weeds on Highways.

Also,

House Bill No. 145. A Bill for an Act to Amend and Re-enact Section 3684a10 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to the City Budget Law.

Also,

House Bill No. 148. A Bill for an Act to Amend and Re-enact Section 1009 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Abstract of Vote; Canvass of Vote; Certificate of Election; Tie How Decided; Publication of Abstract; and Providing for Compensation.

Also,

House Bill No. 231. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 128 of the Session Laws of the State of North Dakota for the Year 1925, Being Section 3163A4 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to Dance Permits.

Also,

House Bill No. 143. A Bill for an Act to Amend and Re-enact Section 3803 Compiled Laws of North Dakota for 1913 Relating to Vacancies in the Offices in Cities Under the Commission Form of Government.

Also,

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 134 of the 1927 Session Laws Relating to the Return and Disposition of Election Ballots and Compensation of Election Officers.

Also,

House Bill No. 84. A Bill for an Act Making an Appropriation for the Payment of Rent Due for Offices Occupied by State Officers and for Which no Prior Appropriation was Made Available, and Declaring an Emergency.

Also,

House Bill No. 158. A Bill for an Act to Amend Section 2817 of the Compiled Laws of North Dakota for the Year 1913 Relating to Noxious Weeds, the Definition of Noxious Weeds and the Manner of Destroying the Same.

Also,

HOUSE CONCURRENT RESOLUTION "A-15"

Also,

HOUSE CONCURRENT RESOLUTION "A-10"

And the President signed the same in the presence of the Senate.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Ralph Hubbard, Linton, N. D.; Prof. and Mrs. Earl Kerns, Prof. and Mrs. E. S. Killie, Mrs. Oscar Westley, Fessenden, N. D.; L. F. Lesmister, Selz, N. D.; Fred Lesmister and Geo. Lesmister of Rugby, N. D.; Mr. and Mrs. Phillip Sundfor, Mr. and Mrs. S. Sundfor and Robert Sundfor of Watford City, N. D.

Senator Erickson moved to recess until 1:00 o'clock Monday.

Which motion prevailed.

The Senate stood recessed.

F. E. TUNELL,
Secretary.

FIFTY-FOURTH DAY AFTER RECESS AND THE
FIFTY-SIXTH DAY

Senate Chamber,
Bismarck, North Dakota,
March 4, 1935.

The Senate convened at 1:00 o'clock P. M., President pro tem. Marshall presiding.

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. 15. 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.

Also,

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance and a New Building for the State Hospital for the Insane at Jamestown, North Dakota, and for the Construction and Equipment of a New Building at Said Hospital; Permitting the Use of Labor of Inmates in the Construction and Equipment of Such New Building; Imposing Certain Duties on the Board of Administration in Connection Therewith; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 75. A Bill for an Act to Provide for Liens in Favor of Hospitals and Other Charitable Institutions Furnishing Care, Treatment and Maintenance of Persons Injured in Accidents, not Subject to the Provisions of the Workmen's Compensation Act of North Dakota, for the Reasonable Value of the Service so Rendered, Upon the Rights

of Action, Claims or Demands of Such Injured Persons, or Judgment Recovered Thereon, Against Other Persons, or Corporations, liable in Tort for Damages, on Account of Negligence Causing the Injuries, and Upon the Proceeds of the Settlements of Any Such Claims or Demands; and Upon and Against the Insurers of Such Tort Feasor or Tort Feasors; and Upon Insurance Held by the Injured Person, and Providing for Constructive Notice Upon Such Insurers, Tort Feasors and their Insurers, if any, by a Filing of a Lien Statement with the Clerk of the District Court of the County in Which Such Services Are Rendered.

Also,

Senate Bill No. 132. A Bill for an Act Defining Banking Institutions Within the Meaning of This Act; Authorizing Such Banking Institutions to Enter Into Such Contracts, Incur Such Obligations and Generally to do Such Acts as May Be Appropriate or Necessary to Take Advantage of Any and all Memberships, Loans, Subscriptions, Contracts, Grants, Rights or Privileges, Including the Right to Receive and Hold United States Postal Savings Deposits, Which May, at any Time, Be Available or Enure to Said Banking Institutions or Their Depositors, Stockholders, Conservators, Liquidators or Receivers, Under or by Virtue of Any Act, Regulation or Resolution of the Congress of the United States or Any Department, Board, Agency or Officer Thereof; to Aid, Regulate, Foster, Promote or Safeguard Banking Institutions and Depositors, Including the Act Creating the Federal Deposit Insurance Corporation and Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which Said Banking Institutions, Their Stockholders, Depositors, Conservators, Liquidators or Receivers May Take Advantage of, Comply With and Act Upon the Rights and Privileges Hereby Granted to Them, and Declaring an Emergency.

Also,

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Subdivision (c) of Section 25 of Chapter 186, Session Laws of 1931, as Amended by Chapter 160 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles and Declaring an Emergency.

Also,

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith and Making the Same an Emergency Measure.

Also,

Senate Bill No. 246. A Bill for an Act to Provide for the

Use of Alternate Jurors in Criminal Cases, and to Regulate the Practice of the Courts in Regard Thereto.

Also,

Senate Bill No. 295. A Bill for an Act to Permit Boards of County Commissioners to Set Aside and Transfer for Park and Recreational Purposes Lands Acquired by the County Through Tax Deeds, and Declaring an Emergency.

Also,

Senate Bill No. 174. A Bill for an Act Providing for Uniform Title to Papers and Proceedings in Probate Court Practice, and for Form of Citation.

Also,

Senate Bill No. 186. A Bill for an Act Transferring \$78,293.94 From Certain Fund in Office of State Treasurer, Derived From the United States, to the State Equalization Fund, Appropriating the Same for School Purposes, and Providing That Funds Derived in the Future From Same Source Shall Be Placed in the State Equalization Fund and Used for School Purposes, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

Senate Bill No. 230. A Bill for an Act to Amend and Re-enact Section 7745 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Notice to Be Given Upon Sale of Real Property Under Execution; Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 244. A Bill for an Act to Permit Fidelity and Surety Companies to Act as Sureties Upon Civil or Criminal Undertakings for Bail.

Also,

Senate Bill No. 245. A Bill for an Act to Fix the Venue of Crimes Committed in or Against Aircraft in Flight, and Upon Trains or Other Vehicles.

Also,

Senate Bill No. 261. A Bill for an Act Transferring a Sum of Fifty Thousand Dollars from the General Fund to the "Returned Soldiers Fund" Heretofore Transferred from the Returned Soldiers Fund to the General Fund Under the Provisions of Chapter 82 of the Session Laws of 1931, and Declaring an Emergency.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 27. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and Magpie Bounty as Provided for by Sections 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the engrossed bill, strike out the figures "\$30,000.00" and insert in lieu thereof the figures "\$50,000.00."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 40. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Public Health.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the engrossed bill, strike out the figures "\$41,110.00" and insert in lieu thereof the figures "\$41,710.00."

After line 22 of the engrossed bill, item "Travel Expense," add the following:

"22½ New Car 600.00"

In the last line of the engrossed bill, item "Total," strike out the figures "\$41,110.00" and insert in lieu thereof the figures "\$41,710.00."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Public Health made the following report:

Mr. President: Your Committee on Public Health to whom was referred:

HOUSE CONCURRENT RESOLUTION A-11

Memorializing Congress to Enact Legislation to Provide Funds to Assist on Hospitalization and Care of the Sick.

Have had the same under consideration and recommend that the same be adopted.

E. C. STUCKE,
Chairman.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Public Health made the following report:

Mr. President: Your Committee on Public Health to whom was referred:

House Bill No. 311. A Bill for an Act to Amend and Re-enact Section 470 of the Compiled Laws of the State of North Dakota for 1913 Being Section 13 of Chapter 189 Session Laws of 1911 Relating to Penalties for Violation of the Laws Concerning the Practice of Medicine and Surgery.

Have had the same under consideration and recommend that the same do pass.

E. C. STUCKE,
Chairman.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Counties made the following report:

Mr. President: Your Committee on Counties to whom was referred:

House Bill No. 330. A Bill for an Act to Provide for the Creation of County Parks and for the Organization of a Board of County Park Commissioners and for the Regulation and Control of Said County Parks and Lands Adjacent Thereto.

Have had the same under consideration and recommend that the same do pass.

W. J. TROUT,
Chairman.

Senator Trout moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Temperance made the following report:

Mr. President: Your Committee on Temperance to whom was referred:

House Bill No. 220. A Bill for an Act to Prohibit Dancing In, On, Or About Places Where the Licensed Sale or Distribution of Wines, Beer or Vinous Liquor is Conducted, and Providing the Penalty for Violation, Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

OLE ETTESTAD,
Chairman.

Senator Ettestad moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 24. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs, Insurance and Upkeep of Grounds.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 41. A Bill for an Act Making an Appropriation for the Purpose of Indemnifying Owners of Animals Infected with Bovine Tuberculosis and to Pay Expenses in Connection Therewith.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 26. A Bill for an Act Making an Appropriation for the Per Diem, Salaries, and General Expenses of the State Livestock Sanitary Board.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 43. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 42. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 212. A Bill for an Act Appropriating Five Thousand Dollars (\$5,000.00) to the State Historical Society for the Purchase of the Site of Old Fort Abraham Lincoln in Morton County, North Dakota.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 69. A Bill for an Act Making an Appropriation to Make Up the Deficit in the Fund Known as "The Insurance Tax to Fire Departments" 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 of 1913.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 28. 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 do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed, and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 39. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

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Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 70. A Bill for an Act Making an Appropriation to Pay the Deficit in the Printing Fund of the Department of Insurance of the State of North Dakota.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

House Bill No. 177. A Bill for an Act to Amend and Re-enact Chapter 236 of the 1933 Session Laws Relating to Common School District Transportation; Leaving Same to the Discretion of the School Board; Limiting the Amount That May Be Paid for Same and Repealing Chapter 244 of the Session Laws of the State of North Dakota for the Year 1931; Prohibiting Discrimination as Between Families.

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.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 4, 1935.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 159. A Bill for an Act to Provide for Reciprocal Fire Underwriters' Licenses.

Which the House has passed unchanged.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 4, 1935.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 167. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 111 of the 1933 Session Laws Known as the "Flour Label Act."

Also,

House Bill No. 221. A Bill for an Act Granting Easements to the United States for Rights of Way Over Lands Owned by the State of North Dakota for Ditches, Dams, Dikes, Fills, Spillways, or Other Structures Now Constructed or to Be Constructed by the United States of America, Its Instrumentalities or Agencies, for the Purpose of Water and/or Wildlife Conservation.

Also,

House Bill No. 298. A Bill for an Act Requiring Safety Shatter-proof Glass in Taxis, Passenger and Automotive School Busses.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

REPORT OF STANDING COMMITTEES

The Committee on Education made the following report:

Mr. President: Your Committee on Education to whom was referred:

House Bill No. 227. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 235, Session Laws of 1929, as Amended by Chapter 252, Session Laws of 1931, and Section 2 of Chapter 297, Session Laws of 1931, Relating to the Tax Levy Limitations of School Districts, Repealing Section 7 of Chapter 235, Session Laws of 1929, as Amended by Chapter 252, Session Laws of 1921, and Section 2 of Chapter 297, Session Laws of 1931, and all Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. S. MARSHALL,
Chairman.

Senator Marshall moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

MONDAY, MARCH 4, 1935

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Mr. President: Your Committee on Banks and Banking to whom was referred:

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 6077 of the 1913 Compiled Laws of the State of North Dakota Relating to the Rate of Interest on Judgments.

Have had the same under consideration and recommend that the same do pass.

C. W. FINE,
Chairman.

Senator Fine moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Banks and Banking made the following report:

Mr. President: Your Committee on Banks and Banking to whom was referred:

House Bill No. 3. A Bill for an Act to Amend and Re-enact Section 6072 of the Supplement to the 1913 Compiled Laws of North Dakota.

Have had the same under consideration and recommend that the same do pass.

C. W. FINE,
Chairman.

Senator Fine moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. President: Your Committee on Ways and Means to whom was referred:

House Bill No. 295. A Bill for an Act Prohibiting Real Estate and Chattel Mortgages Given to Secure the Purchase or Contract Price of Personal or Real Property from Including or Creating a Lien on Any Real or Personal Property Other Than the Property Purchased for Which Said Mortgage is Given to Secure; Invalidating Real and Chattel Mortgages Given in Violation of This Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

On page 1, Section 2, line 1 of the printed bill, after the word "mortgages" insert the word "hereafter."

And when so amended recommend the same do pass.

GUST WOG,
Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. President: Your Committee on Ways and Means to whom was referred:

House Bill No. 281. A Bill for an Act to Amend and Re-enact Section 7812 of the Compiled Laws of North Dakota for the Year 1913, Relating to Non-resident and Foreign Corporations Furnishing Surety for Costs When Plaintiffs and excepting from the Operation Thereof, Corporations That Are Agencies or Instrumentalities of the United States of America.

Have had the same under consideration and recommend that the same do pass.

GUST WOG,
Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. President: Your Committee on Ways and Means to whom was referred:

House Bill No. 267. A Bill for an Act to Authorize, Upon the Option of the Voters, the Creation of a Light and Power Users Commission in Any Organized Town, Village, or City in the State of North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

On page 1, Section 1, sub-section (a), line 4 of the printed bill, after the word "Dakota," insert the following: "Which does not now own or has not authorized the construction or purchase of light and power plants."

In Section 1, Sub-section (b), line 9, strike out the figures "15" and insert in lieu thereof the figures "40."

And when so amended recommend the same do pass.

GUST WOG,
Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Ways and Means made the following report:

Mr. President: Your Committee on Ways and Means to whom was referred:

House Bill No. 181. A Bill for an Act to Amend and Re-enact Chapter 254 of the Session Laws of 1933, Relating to the Old Age Pensions, Creating an Old Age Pension Fund, Providing for the Levy of Any Annual Tax Therefor, Prescribing Persons to Be Pensioned Thereunder, and Penalties for the Violation Thereof.

Have had the same under consideration and recommend that the same do pass.

GUST WOG,
Chairman.

Senator Wog moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 5. A Bill for an Act to Amend and Re-enact Section 2 and to Repeal Sections 3 and 4, Chapter 138, Session Laws of North Dakota for the Year 1929.

Have had the same under consideration and recommend that the same be amended as follows:

In the engrossed bill, strike out everything after the words "A BILL" and insert in lieu thereof the following:

For an Act Relating to Grain Storage on Farms, Abolishing the Office of Grain Storage Commissioner of North Dakota, and Transferring all Powers and Duties of that Office to the Board of Railroad Commissioners of the State of North Dakota, and Amending and Re-enacting Section 2 of Chapter 138 of the 1929 Session Laws, and Repealing Sections 3 and 4 of Chapter 138 of the 1929 Session Laws and all Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

Section 1. AMENDMENT.) That Section 2 of Chapter 138 of the 1929 Session Laws be amended and re-enacted to read as follows, to-wit:

Section 2. BOARD OF RAILROAD COMMISSIONERS TO ACT AS GRAIN STORAGE COMMISSIONER.) The office of Grain Storage Commissioner of North Dakota as created by Chapter 138 of the 1929 Session Laws is hereby abolished, and the duties of said officer are hereby placed in the Board of Railroad Commissioners of the State of North Dakota, and whenever in said Chapter 138 of the 1929 Session Laws the name "Commissioner" is used, the same shall thereafter refer to the Board of Railroad Commissioners of the State of North Dakota, and it is hereby made the duty of the Grain Storage Commissioner of North Dakota to deliver and transfer to said Board of Railroad Commissioners all papers, documents and files and all office equipment belonging to his said office.

Section 2. REPEAL.) That Sections 3 and 4 of Chapter 138 of the 1929 Session Laws, and all acts or parts of acts in conflict herewith are hereby repealed.

Section 3. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. President: Your Committee on Insurance to whom was referred:

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 6548a11 and 6548a12 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Exchange of Reciprocal or Inter-Insurance Contracts; Providing for Appointment of Resident Agents; License Fees and Tax; Publication of Abstract of Annual Statement; Providing for Applicability of General Insurance Laws. Repeal.

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 following language from the two last lines of the title: "Providing for applicability of General Insurance Laws. Repeal."

Strike out all of Sections 2 and 3 of the engrossed Bill.

And when so amended recommend the same do pass.

W. E. MATTHAEI,
Chairman.

Senator Matthaei moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Insurance made the following report:

Mr. President: Your Committee on Insurance to whom was referred:

House Bill No. 170. A Bill for an Act to Amend and Re-enact Section 6625 of the Compiled Laws of 1913, With Regard to a Standard Fire Insurance Policy.

Have had the same under consideration and recommend that the same be amended as follows:

In next to the last line, in Section 6, of the engrossed Bill, after the word "used," change the "period" to a "comma," and change the letter "T" in the word "The" from a capital letter to a small "t."

And when so amended recommend the same do pass.

W. E. MATTHAEI,
Chairman.

Senator Matthaei moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 4, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 169. A Bill for an Act to Amend and Re-enact Chapter 120, Session Laws of the State of North Dakota for 1933, Relating to the Disposition of Money Collected by the Game and Fish Commission; Providing for the Conservation of Water, and the Construction of Dams Within the State, and Declaring an Emergency.

Also,

House Bill No. 17. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota.

Also,

House Bill No. 18. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

House Bill No. 33. 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 1923, the Same Being Sections 2790a1-2790a18 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 19. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota.

Also,

House Bill No. 20. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Also,

House Bill No. 9. A Bill for 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.

Also,

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Also,

House Bill No. 11. 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.

Also,

House Bill No. 14. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Also,

House Bill No. 15. A Bill for an Act Making an Appropriation for the Care of Feeble Minded Whose Residence Cannot Be Determined and Whose Care Must Be Borne by the State.

Also,

House Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927 and Chapter 74, Laws of 1929.

Also,

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Carrying Out the Provisions of Chapter 203, Session Laws 1919, and Chapter 115, Session Laws 1921, the Same Being Sections 1471b1 and 1471b9 and 1471c1 to 1471c8 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 32. 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 Chapters 26 and 152, Session Laws of 1915, the Same Being Sections 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 83. A Bill for an Act Making an Appropriation for the Purchase of Certain Lots Within the Plat of Capitol Park Adjoining the Capitol Buildings in the City of

Bismarck, North Dakota, and Providing for Method of Disbursements Thereof.

Also,

House Bill No. 136. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend from the Present Sewerage System of the State Training School to Connect with the Syndicate Sewer of the City of Mandan; Making an Appropriation Therefor; and Declaring an Emergency.

Also,

House Bill No. 139. A Bill for an Act to Amend and Re-enact Sections 2003a1 and 2003a2 of the 1925 Supplement to the 1913 Compiled Laws Relating to the Cutting of Noxious Weeds on Highways.

Also,

House Bill No. 145. A Bill for an Act to Amend and Re-enact Section 3684a10 of the Supplement to the Compiled Laws of North Dakota for 1913, Relating to the City Budget Law.

Also,

House Bill No. 148. A Bill for an Act to Amend and Re-enact Section 1009 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Abstract of Vote; Canvass of Vote; Certificate of Election; Tie How Decided; Publication of Abstract; and Providing for Compensation.

Also,

House Bill No. 231. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 128 of the Session Laws of the State of North Dakota for the Year 1925, Being Section 3163A4 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to Dance Permits.

Also,

House Bill No. 143. A Bill for an Act to Amend and Re-enact Section 3803 Compiled Laws of North Dakota for 1913 Relating to Vacancies in the Offices in Cities Under the Commission Form of Government.

Also,

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota as Amended by Chapter 134 of the 1927 Session Laws Relating to the Return and Disposition of Election Ballots and Compensation of Election Officers.

Also,

House Bill No. 84. A Bill for an Act Making an Appropriation for the Payment of Rent Due for Offices Occupied

by State Officers and for Which no Prior Appropriation was Made Available, and Declaring an Emergency.

Also,

House Bill No. 158. A Bill for an Act to Amend Section 2817 of the Compiled Laws of North Dakota for the Year 1913 Relating to Noxious Weeds, the Definition of Noxious Weeds and the Manner of Destroying the Same.

Also,

HOUSE CONCURRENT RESOLUTION "A-15"

Also,

HOUSE CONCURRENT RESOLUTION "A-10"

Which the President has signed.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 4, 1935.

Mr. Speaker: I have the honor to return:

HOUSE CONCURRENT RESOLUTION "A-13"

Which the Senate has amended as shown on page 56, Senate Journal March 2.

Also,

House Bill No. 30. A Bill for an Act Making an Appropriation for the use by the Board of Administration in Administering Child Welfare Laws.

Which the Senate has amended as shown on page 24, Senate Journal March 1.

Also,

House Bill No. 44. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Which the Senate has amended as shown on pages 4 and 5, Senate Journal March 2.

Also,

House Bill No. 60. 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 Senate has amended as shown on pages 24 and 25, Senate Journal March 1.

Also,

House Bill No. 61. 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.

Which the Senate has amended as shown on page 6, Senate Journal March 2.

Also,

House Bill No. 79. A Bill for an Act to Provide for Fraud or Fraudulent Concealment of Facts Constituting a Cause of Action, to Postpone or Toll the Running of the Statute of Limitations.

Which the Senate has amended as shown on pages 22 and 23, Senate Journal March 1.

Also,

House Bill No. 81. A Bill for an Act Making an Emergency Appropriation to Provide for the Payment of the Salaries of Assistant Dairy Commissioners, Official Tester, Clerkhire, Office Supplies, Printing, Postage, Travel Expenses, Auto Exchange and Miscellaneous Expenses for the Office of Dairy Commissioner, and Declaring an Emergency.

Which the Senate has amended as shown on page 3, Senate Journal March 2.

Also,

House Bill No. 133. A Bill for an Act Authorizing Judges of the District Court to Request the Attorney General to Perform Certain Duties Relating to Criminal Matters, Providing for Payment of Expenses in Connection Therewith, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Amended as shown on page 9, Senate Journal March 2.

Also,

House Bill No. 154. A Bill for an Act Requiring Deduction of Delinquent Personal Property Taxes From Salaries or Other Compensation of Elective and Appointive Officers, Agents and Employees of the State of North Dakota, All Bureaus, Boards, Commissions and Departments, and All Persons receiving Public Funds.

Amended as shown on page 20, Senate Journal of March 1.

Also,

House Bill No. 156. A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for the Years 1935 and 1936 for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

Amended as shown on page 21, Senate Journal of March 1.

Also,

House Bill No. 182. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 219 of the Session Laws of North Dakota of the Year 1923 (Section 3999, Subdivision 3, Supplement 1925.)

Amended as shown on pages 9-65, Senate Journal of March 2.

Also,

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5, of Chapter 235 of the Session Laws of 1929, as Amended by Chapter 297 of the Session Laws of 1931, Relating to Tax Levy, Limitations of Cities.

Which the Senate has amended as shown on pages 19 and 20, March 1, Senate Journal.

Also,

House Bill No. 265. A Bill for an Act to Cancel All Interest and Penalty, Levied and Assessed Against Delinquent Real Estate Taxes and Providing for Redemption of Real Estate Sold or Forfeited to the County for the Years 1933, and All Prior Years, and Still Held by the County, Without Paying Interest or Penalty, if Said Taxes Are Paid During the Year 1935; Repealing All Acts in Conflict Herewith.

Which the Senate has amended as shown on page 19, Senate Journal March 1.

Also,

House Bill No. 289. A Bill for an Act to Amend and Re-enact Subdivision 4 of Section 4 and Sections 13 and 14 of Chapter 97 of the Session Laws of 1933.

Amended as shown on page 17, Senate Journal March 1, and page 29, Senate Journal March 2.

Also,

House Bill No. 347. A Bill for an Act Relating to Relief and Rehabilitation Work Carried on in North Dakota by the Federal Emergency Relief Administration Through the North Dakota Rural Rehabilitation Corporation; Exempting From Taxation Moneys and/or Credits Coming Into the Possession of or Belonging to the North Dakota Rural Rehabilitation Corporation as a Result of Any Federal Grant or Gift for Relief or Rehabilitation Purposes, and Authorizing the State Treasurer, in Event of Dissolution of the North Dakota Rural Rehabilitation Corporation, to Accept Funds and Property on Hand or Belonging to the Corporation at the Time of Dissolution.

Amended as shown on page 18, Senate Journal March 1.

Also,

House Bill No. 359. A Bill for an Act to Authorize, Direct and Empower the State Board of Administration to Provide,

Furnish and Equip a Room in the State Capitol Office Building for the Exclusive Use of Representatives of Accredited Press Associations and Daily Newspapers.

Which the Senate has amended as shown on pages 51 and 52, Senate Journal March 1, and page 42, Senate Journal March 2.

Also,

House Bill No. 365. A Bill for an Act Providing That Teachers Who Served in the United States Armed Forces During the World War Shall Be Entitled to Have the Time of Said Service Counted "Teaching Service" Under the Teachers' Insurance and Retirement Law Upon Payment of the Assessments for the Time of Said Service; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Amended as shown on page 7, Senate Journal March 2.

Very respectfully,

F. E. TUNELL,
Secretary.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 64 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 64. A Bill for an Act to Amend and Re-enact Section 35 of Chapter 148 of the 1931 Session Laws, Relating to the Bag and Possession Limits on Protected Game Birds and Prescribing a Penalty for the Violation Hereof.

Have had the same under consideration and recommend:

That in Section 35, page 2, line 11 after the word "of" strike out the words "any one" and insert in lieu thereof the words "the grouse," and that wherever the word "specie" occurs add an "s," and that the House concur in the Senate amendments.

For the Senate:

C. W. FINE,
F. T. GRONVOLD,
MELVIN P. JOHNSON

For the House:

JOHN J. ADAM,
CHRIST BORSTAD,
R. J. DOWNEY

Senator Fine moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Fine moved that the rules be suspended and that House Bill No. 64 as amended, be placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 64. A Bill for an Act to Amend and Re-enact Section 35 of Chapter 148 of the 1931 Session Laws, Relating to the Bag and Possession Limits on Protected Game Birds and Prescribing a Penalty for the Violation Hereof.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Johnson	Nelson, Barnes
Brostuen	Kamrath	Nelson, Grand Fks.
Cain	Kolpin	Owings
Coffey	Kroeber	Peterson
Crandall	Lind	Strehlow
Drew	Lowe	Thatcher
Eastgate	Lynn	Thorson
Ettestad	Marshall	Topp
Fine	Matthaei	Trout
Greene, Cavalier	McDonald	Trovatten
Greene, Stutsman	McGillic	Vinje
Gronvold	Miklethun	Young
Handley	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fredrickson	Watt
Dubay	Jones	Whelan
Erickson	Lemke	Wog
Fowler	Stucke	

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 4, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 64.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Ettestad moved that the vote by which House Concurrent Resolution No. A-4 was passed be reconsidered.

Senator Ettestad withdrew his motion.

Senator Cain asked unanimous consent to proceed to the Ninth Order of Business.

Which request was granted.

CONCURRENT RESOLUTION No. A-j

Introduced by Senator Cain

WHEREAS, It has come to the knowledge of the members of the Twenty-fourth Legislative Assembly that William E. Martin, a former member of this Assembly, is ill and a patient in the Deaconess Hospital at Mandan; and,

WHEREAS, William E. Martin served as a member of the House of Representatives from the Thirtieth Legislative District in the 1907, 1909, 1911, and 1913 Sessions of the Legislative Assembly, and was a member of the Senate from said Legislative District in the 1923, 1925, 1927, 1929, 1931 and 1933 Sessions; and,

WHEREAS, This is his eighty-fifth birthday; and,

WHEREAS, Those who were associated with him in this Assembly, and those who have known him during his many years of residence in this state, recognize his honesty and sincerity of purpose;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the State of North Dakota, the House of Representatives concurring, that we express to William E. Martin our sincere congratulations upon his eighty-fifth birthday, and that we hope and wish for his speedy recovery.

Senator Cain moved that Senate Concurrent Resolution A-j be adopted by a standing vote.

The resolution was unanimously adopted.

Senator Cain moved that Senate Concurrent Resolution A-j be messaged to the House with instructions that after it is passed by the House, to be messaged to Senator Martin by special messenger at once.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 4, 1935.

Mr. Speaker: I have the honor to transmit herewith the following:

SENATE CONCURRENT RESOLUTION "A-j"

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Whelan moved that the chair appoint a committee of three to prepare a telegram to the President of the United States in regard to the seed situation in North Dakota to see if it could not be speeded up.

Which motion prevailed.

The President announced the appointment of Senators Whelan, Greene of Stutsman and Watt on such committee.

REPORT OF STANDING COMMITTEES

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 263. A Bill for an Act Amending and Re-enacting Section 2 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Acts Amendatory Thereof; Section 3C, Section 3G and Section 3G (1) of Chapter 260 of the Session Laws of North Dakota for the Year 1929; Sub-section B, Sub-section D and Sub-section I of Section 4 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 as Amended by Chapter 314 of the Session Laws of North Dakota for the Year 1931; Section 10-1 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Acts Amendatory Thereof; Section 13 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, All Constituting Parts of the Workmen's Compensation Act of the State of North Dakota and Further Making it Illegal to Employ Workers Not Protected by Workmen's Compensation Insurance and Giving the Workmen's Compensation Bureau Power to Enjoin Such Unlawful Employments.

Have had the same under consideration and recommend that the same be amended as follows:

On page 12 of printed bill, Section 7, line 3, strike out the words "or persons" and insert in lieu thereof the words "firm or corporation."

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 261. A Bill for an Act to Amend and Re-enact Section 2202 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Giving Notice of the Expiration of the Period of Redemption on Property Forfeited to the County at Tax Sales, Issuance of Tax Deeds to County and Sale by County of Property Acquired by Tax Deed, as Said Section is Amended by Chapter 226 of the Session Laws of 1927 Insofar as it Relates to Sub-division 6 of Said Amended Chapter.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 362. A Bill for an Act to Amend Section 25, Chapter 97 of the Session Laws of North Dakota for 1933, Relating to Relief for the Poor, Prescribing the Establishment of a County Welfare Board by the Board of County Commissioners.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 338. A Bill for an Act Creating a State Board of Public Welfare, Defining its Powers and Duties; Permitting Appointment of Executive Director; Hold Office at Pleasure of Board; Establishing the State Welfare Fund; Making an Appropriation Therefor; Repealing All Acts and Parts of Acts in Conflict With the Provisions of This Act, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

On page 1, Section 1, lines 1 and 2, strike out the words "Chief Justice of the Supreme Court" and insert in lieu thereof the words: "Commissioner of Agriculture and Labor."

On page 2 of engrossed bill, line 1, strike out the words "Chief Justice of the Supreme Court" and insert in lieu thereof the words: "Commissioner of Agriculture and Labor."

And when so amended, recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 355. A Bill for an Act Making an Appropriation to Provide for Payment of a Deficit in the Amount Appropriated for Payment of Per Diem of Employees of Twenty-fourth Legislative Assembly.

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 an appropriation for payment of a deficit in the amount appropriated for payment of per diem of employees of Twenty-fourth Legislative Assembly, and appropriation for deficit in the printing account of the Twenty-fourth Legislative Assembly, and declaring an emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

Section 1. APPROPRIATION.) There is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, the sum of \$18,000.00 for the purpose of paying a deficit in the per diem account of the employees of the Twenty-fourth Legislative Assembly and for the purpose of payment of a deficit in the printing account for printing done for the Twenty-fourth Legislative Assembly, to-wit:

Deficit per diem account of legislative employees....	\$10,000.00
Deficit printing account	8,000.00
Total	\$18,000.00

Section 2. EMERGENCY.) It is necessary that the money hereby appropriated be immediately available to provide for the payment of the per diem of the employees of the Twenty-fourth Legislative Assembly, and deficit in the printing account of the Twenty-fourth Legislative Assembly, this Act is hereby declared an emergency measure and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The majority of Your Committee on Banks and Banking made the following report:

Mr. President: The majority of your committee on Banks and Banking to whom was referred:

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 140, Session Laws of 1933, Defining Usury.

Have had the same under consideration and recommend that the same be amended as follows:

In line 10, Section 1, of the engrossed bill, strike out the word "six" and insert in lieu thereof the word "seven."

T. E. WHELAN,
A. A. TROVATTEN,
MAX H. STREHLOW,
A. S. MARSHALL,
WM. WATT,
WM. A. THATCHER,
HARRY PETERSON,
ALEX LIND,
A. W. FOWLER,
L. O. FREDRICKSON,
J. P. CAIN

And when so amended recommend the same do pass.

The minority of your Committee on Banks and Banking made the following report:

Mr. President: The minority of your Committee on Banks and Banking to whom was referred:

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 140, Session Laws of 1933, Defining Usury.

Have had the same under consideration and recommend that the same do pass.

JOHN L. MIKLETHUN,
C. W. FINE, Chairman.

Senator Fine moved that the report of the minority be adopted.

Senator Miklethun demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the motion of Senator Fine that the minority report be adopted, the roll was called and there were ayes, 13; nays, 32; absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Handley	McDonald
Dubay	Johnson	Miklethun
Fine	Kamrath	Owings
Greene, Cavalier	Lemke	Stucke
Greene, Stutsman		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Lind	Thatcher
Coffey	Lowe	Thorson
Crandall	Lynn	Topp
Drew	Marshall	Trout
Eastgate	Matthaei	Trovatten
Erickson	McGillic	Vinje
Ettestad	Mutchler	Watt
Fowler	Nelson, Barnes	Whelan
Gronvold	Nelson, Grand Fks.	Wog
Kolpin	Peterson	Young
Kroeber	Strehlow	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fredrickson	Jones
Brostuen		

So the motion was lost.

Senator Fowler moved that the report of the majority be adopted, which motion prevailed and the report of the majority was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 213. A Bill for an Act Creating the State Athletic Commission, Prescribing its Powers and Duties, Providing Penalties for Violations and Repealing all Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be amended as follows:

On page 3 of the printed bill, following Sub-division (3), after line 17, insert the following:

“(4) Provided, however, that the provisions of this Act shall not apply to any boxing, sparring or wrestling exhibitions, the net proceeds of which are to be devoted to charitable purposes.

And when so amended recommend the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 286. A Bill for an Act to Amend and Re-enact Sections 396b1, 396b2, 396b4, 396b5 and 396b10 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to the Minimum Wage and Hours for Women Workers; Transferring the Duties for the Enforcement of the Said Law From the Workmen's Compensation Bureau to the Department of Agriculture and Labor; Repealing All Acts and Parts of All Acts in Conflict With This Act and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 234. A Bill for an Act Relating to Foreclosure of Real Estate Mortgages Held by the State of North Dakota as Security for Investment of Permanent School Funds, Authorizing the Board of University and School Lands to Accept From Record Title Owner Deed of Conveyance of Mortgaged Land in Lieu of Foreclosure, Affect of Such an Deed, Dispensing With Execution and Delivery of Power of Attorney in Conducting Proceedings for the Foreclosure of Such Mortgages, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 363. A Bill for an Act Directing the Board of Administration of the State of North Dakota to Sell, at Public Auction or Private Sale, all Automobiles and Automobile Equipment Purchased by the Beer Commissioner of the State of North Dakota; Authorizing Said Board to De-

mand, Receive and Take Possession of all Such Property; Directing Attorney General to Institute Suits or Proceedings at Request of Board of Administration; Permitting Deduction of Costs and Expenses Connected with Said Sale; Providing for Disposition of Balance of the Receipts and Requiring Report to Governor; Repealing Acts in Conflict and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Miklethun moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

FIFTY-SIXTH DAY

Senate Chamber,
Bismarck, North Dakota,
March 4, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. F. G. Norris.

Roll call: All Senators were present except Senator Jones.

SENATE COMMITTEE ON ENROLLMENT AND ENGISSMENT

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. 159. A Bill for an Act to Provide for Reciprocal Fire Underwriters' Licenses.

And find the same correctly Enrolled.

THOMAS WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 4, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the conference committee on House Bill No. 64.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 4, 1935.

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 16.

Very respectfully,

WALTER S. MARTIN
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 4, 1935.

Mr. President: I have the honor to transmit herewith the following:

HOUSE CONCURRENT RESOLUTION "A-19"

Which the House has adopted and your favorable consideration is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 4, 1935.

Mr. President: I have the honor to return herewith the following:

SENATE CONCURRENT RESOLUTION "A-d"

Also,

SENATE CONCURRENT RESOLUTION "A-b"

Which the House has adopted unchanged.

Also,

Senate Bill No. 133. A Bill for an Act Authorizing Banking Institutions to Issue and Sell Capital Notes or Debentures and Preferred Stock; Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which the Same May Be Issued and Sold, and Declaring an Emergency.

Also,

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931, Relating to Capital Stock of Banks.

Also,

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Subsection 2 of Section 2 and Section 5 of Chapter 179 of the Session Laws of North Dakota, 1933, Authorizing the Execution of a Mortgage or a Deed of Trust to Secure Mortgage Bonds and Making Such Bonds Negotiable.

Also,

Senate Bill No. 209. A Bill for an Act to Amend Section 17 of Chapter 196, Session Laws of North Dakota for the Year 1927, Authorizing the Private Sale of Bonds to the United States of America or Any Agency or Instrumentality Thereof Without Public Advertisement.

Also,

Senate Bill No. 217. A Bill for an Act to Amend and Re-enact Chapter 220, Session Laws of the State of North Dakota for the year 1933, Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Summary Reduction of the Same, Relating to Hearings, and Investigations; and Relating to Valuation and/or Revaluation of Property of Public Utility Companies and Corporations by the Board of Railroad Commissioners; Relating to Payment of Expenses of Such Hearings, and Investigations, and Valuations and/or Revaluations and the Methods of Assessing and Collecting the Same; and Repealing All Acts or Parts of Acts in Conflict Herewith; and Making an Appropriation for the Valuation by Board of Public Commissioners of the Property of the Public Utilities, Subject to the Provisions of Chapter 192 of the Session Laws of 1919, Creating a Revolving Fund, and Declaring an Emergency.

Also,

Senate Bill No. 218. A Bill for an Act Providing That the State and the Several Counties of the State Are Authorized to Acquire by Purchase, Exchange, Gift, Condemnation or Otherwise the Title to Any Land Within the Same Political Subdivision for the Purpose of Establishing Any Public Park or Recreational Area, or for the Purpose of Constructing, Maintaining and Operating Any Water and/or Wildlife Conservation Project; Providing That All Lands to Be Purchased or Exchanged Under Authority of This Act Shall Be Appraised by the Existing Appraisal Agencies of the Parties to the Contract; Providing That Where No Such Appraisal Agency Exists the County Board of Commissioners Shall Determine the Value Thereof, and Providing That No Land Shall Be Purchased for More Than the Appraised Value, nor Shall Any Lands Owned by the State or the

Several Counties Be Exchanged Except for Lands of an Equal Appraised Value; Providing That the State of North Dakota Shall Reserve All Mineral Rights to All State Lands Transferred Under Authority of This Act; Providing a Saving Clause; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 219. A Bill for an Act Providing That No Fee Shall Be Charged or Collected for the Recording or Filing of Any Document Required by the United States or the State of North Dakota for Any Water and/or Wild-life Conservation Project; Repealing All Acts or Parts of Acts in Conflict Herewith, Declaring an Emergency.

Which the House has passed unchanged.

Also,

Senate Bill No. 221. A Bill for an Act to Amend and Re-enact Section 3583 of the Compiled Laws of North Dakota for 1913, as Amended by Section 2 of Chapter 167 of the Session Laws of the State of North Dakota for 1933, Relating to Terms of Office of Aldermen, and Declaring an Emergency.

Also,

Senate Bill No. 239. A Bill for an Act Authorizing Any Board or Officer Having the Control or Management of Any Real State Belonging to or Controlled by the State of North Dakota or Any of Its Political Subdivisions to Enter Into Agreements with the United States of America for the Improvement of Said Real Estate by the Establishment and Maintenance of Shelterbelts of Trees and Other Plants and Necessary Protective Structures and Works Thereon, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 249. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend the Present Sewerage System of the State Penitentiary to Connect With the City of Bismarck System of Sewerage, Providing for the Use of Prison Labor, or to Make Provision for its Construction by Governmental Agency; Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 277. A Bill for an Act Authorizing the Board of Administration to Construct, Either Independently of or Jointly With the City of Grafton, a Sewage Disposal Plant for the Grafton State School and Making an Appropriation Therefor.

Also,

Senate Bill No. 283. A Bill for an Act to Amend and Re-enact Section 9606a1 of the 1925 Supplement to the

Compiled Laws of North Dakota for 1913, Declaring it Unlawful to Place Certain Children in Almshouses or Other Institutions Without the Consent of the Board of Administration, With Certain Exceptions, Prohibiting Placing of Certain Children in the State Training School, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 297. A Bill for an Act Providing for the Cancellation of Record of Certain Chattel Mortgages and Certain Written Agreements Relating to Personal Property, by the Register of Deeds, for Cancelling Certain Bills of Sale, Requiring Assignments of Chattel Mortgages to Be Filed Before the Filing of Affidavit of Renewal or Satisfaction, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 326. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 172, of the Session Laws of 1929, Which Authorizes and Empowers Cities, Towns or Villages to Purchase, Erect, Operate and Maintain or Lease Electric Light and Power Plant, Electric Distribution System and Transmission Line, Telephone Plant or Parts of Systems or Lines or Waterworks, Mains, Distribution System and/or Equipment or Appliances Connected Therewith as Provided in the Act, and Declaring an Emergency.

Also,

Senate Bill No. 286. A Bill for an Act Validating Payments Heretofore Made by the State or Municipalities for Payments of Workmen's Compensation Insurance; Authorizing Municipalities to Pay Such Premiums With Any Moneys Except Special Levies and to Draw Special Warrants for Premiums Where Funds Are Unavailable and Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 137. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 89 of the Session Laws of the State of North Dakota for the Year 1933, Relating to Prohibition Against Corporation Farming, and Declaring an Emergency.

Which the House has passed unchanged.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 4, 1935.

Mr. President: I have the honor to return herewith the following:

SENATE CONCURRENT RESOLUTION "S"

Also,

SENATE CONCURRENT RESOLUTION "L"

Also,

SENATE CONCURRENT RESOLUTION "V"

Also,

Senate Bill No. 237. A Bill for an Act to Regulate the Practice of Professional Engineering and Land Survey, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 320. A Bill for an Act Providing That Agricultural Co-operative Associations Exempted Under the Provisions of the Federal Law Known as the Capper-Volstead Act Shall Be Exempt from the Filing of State Income Tax Returns and Payment of Income Tax, and Providing that the Attorney General May Require the Filing of Such State Income Tax Returns and Payment of Tax, Upon Proof of Violation of the Capper-Volstead Act and Repeal All Acts or Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 279. A Bill for an Act Amending and Re-enacting Section 4440a1 and 4446 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to Custody and Assignment of Children Prohibited in Certain Cases, Requiring Consent in Writing for Adoption of Child, Prohibiting Transfer of Guardianship Without Notice to the Board of Administration, Petition for Adoption, Notice to Board of Administration, Report of Board, Petition When Granted, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 300. A Bill for an Act to Amend and Re-enact Section 3591a of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Requiring Cities to Publish in the Official Paper Proceedings of the City Councils With Certain Cities Excepted, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 309, Session Laws of 1931, Relating to Veterans' Guardianship, and Declaring an Emergency.

Which the House has indefinitely postponed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Watt moved that the request of the House for the return of Senate Bill No. 16 be granted.

Which request was granted.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 4, 1935.

Mr. Speaker: I have the honor to return Senate Bill No. 16 which the House has requested.

Very respectfully,

F. E. TUNELL,
Secretary.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 159. A Bill for an Act to Provide for Reciprocal Fire Underwriters' Licenses.

Also,

Senate Bill No. 246. A Bill for an Act to Provide for the Use of Alternate Jurors in Criminal Cases, and to Regulate the Practice of the Courts in Regard Thereto.

Also,

Senate Bill No. 295. A Bill for an Act to Permit Boards of County Commissioners to Set Aside and Transfer for Park and Recreational Purposes Lands Acquired by the County Through Tax Deeds, and Declaring an Emergency.

Also,

Senate Bill No. 174. A Bill for an Act Providing for Uniform Title to Papers and Proceedings in Probate Court Practice, and for Form of Citation.

Also,

Senate Bill No. 75. A Bill for an Act to Provide for Liens in Favor of Hospitals and Other Charitable Institutions Furnishing Care, Treatment and Maintenance of Persons Injured in Accidents, not Subject to the Provisions of the Workmen's Compensation Act of North Dakota, for the Reasonable Value of the Service so Rendered, Upon the Rights of Action, Claims or Demands of Such Injured Persons, or Judgment Recovered Thereon, Against Other Persons, or Corporations, liable in Tort for Damages, on Account of Negligence Causing the Injuries, and Upon the Proceeds of the Settlements of Any Such Claims or Demands; and Upon and Against the Insurers of Such Tort Feasor or Tort Feasors; and Upon Insurance Held by the Injured Person, and Providing for Constructive Notice Upon Such Insurers,

Tort Feasors and their Insurers, if any, by a Filing of a Lien Statement with the Clerk of the District Court of the County in Which Such Services Are Rendered.

Also,

Senate Bill No. 15. 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.

Also,

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance and a New Building for the State Hospital for the Insane at Jamestown, North Dakota, and for the Construction and Equipment of a New Building at Said Hospital; Permitting the Use of Labor of Inmates in the Construction and Equipment of Such New Building; Imposing Certain Duties on the Board of Administration in Connection Therewith; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 132. A Bill for an Act Defining Banking Institutions Within the Meaning of This Act; Authorizing Such Banking Institutions to Enter Into Such Contracts, Incur Such Obligations and Generally to do Such Acts as May Be Appropriate or Necessary to Take Advantage of Any and all Memberships, Loans, Subscriptions, Contracts, Grants, Rights or Privileges, Including the Right to Receive and Hold United States Postal Savings Deposits, Which May, at any Time, Be Available or Enure to Said Banking Institutions or Their Depositors, Stockholders, Conservators, Liquidators or Receivers, Under or by Virtue of Any Act, Regulation or Resolution of the Congress of the United States or Any Department, Board, Agency or Officer Thereof; to Aid, Regulate, Foster, Promote or Safeguard Banking Institutions and Depositors, Including the Act Creating the Federal Deposit Insurance Corporation and Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which Said Banking Institutions, Their Stockholders, Depositors, Conservators, Liquidators or Receivers May Take Advantage of, Comply With and Act Upon the Rights and Privileges Hereby Granted to Them, and Declaring an Emergency.

Also,

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Subdivision (c) of Section 25 of Chapter 186, Session Laws of 1931, as Amended by Chapter 160 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles and Declaring an Emergency.

Also,

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 175, Session

Laws of 1927, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith and Making the Same an Emergency Measure.

Also,

Senate Bill No. 186. A Bill for an Act Transferring \$78,293.94 From Certain Fund in Office of State Treasurer, Derived From the United States, to the State Equalization Fund, Appropriating the Same for School Purposes, and Providing That Funds Derived in the Future From Same Source Shall Be Placed in the State Equalization Fund and Used for School Purposes, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

Senate Bill No. 230. A Bill for an Act to Amend and Re-enact Section 7745 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Notice to Be Given Upon Sale of Real Property Under Execution; Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 221. A Bill for an Act Granting Easements to the United States for Rights of Way Over Lands Owned by the State of North Dakota for Ditches, Dams, Dikes, Fills, Spillways, or Other Structures Now Constructed or to Be Constructed by the United States of America, Its Instrumentalities or Agencies, for the Purpose of Water and/or Wildlife Conservation.

Also,

House Bill No. 167. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 111 of the 1933 Session Laws Known as the "Flour Label Act."

Also,

Senate Bill No. 244. A Bill for an Act to Permit Fidelity and Surety Companies to Act as Sureties Upon Civil or Criminal Undertakings for Bail.

Also,

House Bill No. 298. A Bill for an Act Requiring Safety Shatter-proof Glass in Taxis, Passenger and Automotive School Busses.

Also,

Senate Bill No. 245. A Bill for an Act to Fix the Venue of Crimes Committed in or Against Aircraft in Flight, and Upon Trains or Other Vehicles.

Also,

Senate Bill No. 261. A Bill for an Act Transferring a Sum

of Fifty Thousand Dollars from the General Fund to the "Returned Soldiers Fund" Heretofore Transferred from the Returned Soldiers Fund to the General Fund Under the Provisions of Chapter 82 of the Session Laws of 1931, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-third day after recess and the fifty-fourth day and found same to be correct.

And recommend that the same be approved.

R. A. OWINGS,
Chairman.

Senator Owings moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A petition presented by Senator Young, signed, H. Heinrich and four others of Edgeley, asking the passage of the Power Alcohol Bill.

A petition presented at the desk, signed F. Morris and forty-one others of Mandan, protesting Senate Bill No. 175.

Referred to the Committee on Temperance.

A petition presented by Senator Young, signed, Mrs. B. T. Steen and eleven others, regarding the Ellendale Normal.

Referred to the Committee on Taxes and Tax Laws.

A resolution presented by Senator Lind, signed, Mrs. O. Fredrickson and eight others, regarding education.

Referred to the Committee on Education.

Senator Owings moved that the absent Senator be excused.

Which motion prevailed.

SENATE CONCURRENT RESOLUTION No. A-i

Introduced by Senators Fine and Thorson

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING, THAT:

WHEREAS, There is at this time, over a large part of the state of North Dakota, an extreme shortage of moisture in the soil, and

WHEREAS, The past few years have proven that unless there is a reasonable amount of moisture on or before seeding time, crop failures have largely followed due to soil blowing, lack of moisture, etc., Now, therefore,

BE IT RESOLVED, That the Senate of the State of North Dakota, the House of Representatives concurring, do respectfully petition Honorable Henry A. Wallace, Secretary of Agriculture, and Honorable George Farrell, Wheat Administrator, that they permit the farmers in North Dakota to choose themselves whether or not, under these conditions, they shall be required to buy expensive seed and run the risk of perhaps another crop failure with consequent loss; and

BE IT FURTHER RESOLVED, That the farmers of North Dakota may be released from their minimum seeding requirements in order to participate in the benefits of the wheat allotment for the year 1935;

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Honorable Henry A. Wallace, Secretary of Agriculture, George Farrell, Wheat Administrator, Farmers Union Legislative Committee at Washington, Secretary of the Senate of the State of South Dakota and Secretary of the Senate of the State of Minnesota.

Senator Fine moved that the rules be suspended and that Senate Concurrent Resolution A-i be placed upon second reading and final passage by a viva voce vote.

Which motion prevailed and the resolution was adopted.

SENATE CONCURRENT RESOLUTION "A-g"

Was read the second time.

The question being on the adoption of Senate Concurrent Resolution A-g, the resolution was adopted by a viva voce vote.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 4, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 159. A Bill for an Act to Provide for Reciprocal Fire Underwriters' Licenses.

Also,

Senate Bill No. 246. A Bill for an Act to Provide for the Use of Alternate Jurors in Criminal Cases, and to Regulate the Practice of the Courts in Regard Thereto.

Also,

Senate Bill No. 174. A Bill for an Act Providing for

Uniform Title to Papers and Proceedings in Probate Court Practice, and for Form of Citation.

Also,

Senate Bill No. 75. A Bill for an Act to Provide for Liens in Favor of Hospitals and Other Charitable Institutions Furnishing Care, Treatment and Maintenance of Persons Injured in Accidents, not Subject to the Provisions of the Workmen's Compensation Act of North Dakota, for the Reasonable Value of the Service so Rendered, Upon the Rights of Action, Claims or Demands of Such Injured Persons, or Judgment Recovered Thereon, Against Other Persons, or Corporations, liable in Tort for Damages, on Account of Negligence Causing the Injuries, and Upon the Proceeds of the Settlements of Any Such Claims or Demands; and Upon and Against the Insurers of Such Tort Feasor or Tort Feasors; and Upon Insurance Held by the Injured Person, and Providing for Constructive Notice Upon Such Insurers, Tort Feasors and their Insurers, if any, by a Filing of a Lien Statement with the Clerk of the District Court of the County in Which Such Services Are Rendered.

Also,

Senate Bill No. 295. A Bill for an Act to Permit Boards of County Commissioners to Set Aside and Transfer for Park and Recreational Purposes Lands Acquired by the County Through Tax Deeds, and Declaring an Emergency.

Also,

Senate Bill No. 15. 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.

Also,

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance and a New Building for the State Hospital for the Insane at Jamestown, North Dakota, and for the Construction and Equipment of a New Building at Said Hospital; Permitting the Use of Labor of Inmates in the Construction and Equipment of Such New Building; Imposing Certain Duties on the Board of Administration in Connection Therewith; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 132. A Bill for an Act Defining Banking Institutions Within the Meaning of This Act; Authorizing Such Banking Institutions to Enter Into Such Contracts,

Incur Such Obligations and Generally to do Such Acts as May Be Appropriate or Necessary to Take Advantage of Any and all Memberships, Loans, Subscriptions, Contracts, Grants, Rights or Privileges, Including the Right to Receive and Hold United States Postal Savings Deposits, Which May, at any Time, Be Available or Enure to Said Banking Institutions or Their Depositors, Stockholders, Conservators, Liquidators or Receivers, Under or by Virtue of Any Act, Regulation or Resolution of the Congress of the United States or Any Department, Board, Agency or Officer Thereof; to Aid, Regulate, Foster, Promote or Safeguard Banking Institutions and Depositors, Including the Act Creating the Federal Deposit Insurance Corporation and Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which Said Banking Institutions, Their Stockholders, Depositors, Conservators, Liquidators or Receivers May Take Advantage of, Comply With and Act Upon the Rights and Privileges Hereby Granted to Them, and Declaring an Emergency.

Also,

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Subdivision (c) of Section 25 of Chapter 186, Session Laws of 1931, as Amended by Chapter 160 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles and Declaring an Emergency.

Also,

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith and Making the Same an Emergency Measure.

Also,

Senate Bill No. 186. A Bill for an Act Transferring \$78,293.94 From Certain Fund in Office of State Treasurer, Derived From the United States, to the State Equalization Fund, Appropriating the Same for School Purposes, and Providing That Funds Derived in the Future From Same Source Shall Be Placed in the State Equalization Fund and Used for School Purposes, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

Senate Bill No. 230. A Bill for an Act to Amend and Re-enact Section 7745 of the Compiled Laws of North Dakota

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for the Year 1913, Relating to the Notice to Be Given Upon Sale of Real Property Under Execution; Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 244. A Bill for an Act to Permit Fidelity and Surety Companies to Act as Sureties Upon Civil or Criminal Undertakings for Bail.

Also,

Senate Bill No. 245. A Bill for an Act to Fix the Venue of Crimes Committed in or Against Aircraft in Flight, and Upon Trains or Other Vehicles.

Also,

Senate Bill No. 261. A Bill for an Act Transferring a Sum of Fifty Thousand Dollars from the General Fund to the "Returned Soldiers Fund" Heretofore Transferred from the Returned Soldiers Fund to the General Fund Under the Provisions of Chapter 82 of the Session Laws of 1931, and Declaring an Emergency.

Which the President has signed and your signature is respectfully requested.

Also,

House Bill No. 221. A Bill for an Act Granting Easements to the United States for Rights of Way Over Lands Owned by the State of North Dakota for Ditches, Dams, Dikes, Fills, Spillways, or Other Structures Now Constructed or to Be Constructed by the United States of America, Its Instrumentalities or Agencies, for the Purpose of Water and/or Wildlife Conservation.

Also,

House Bill No. 298. A Bill for an Act Requiring Safety Shatter-proof Glass in Taxis, Passenger and Automotive School Busses.

Also,

House Bill No. 167. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 111 of the 1933 Session Laws Known as the "Flour Label Act."

Which the President has signed.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 4, 1935.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 347.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 4, 1935.

Mr. President: I have the honor to return herewith the following:

SENATE CONCURRENT RESOLUTION A-j

Which the House has adopted unchanged.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Crandall moved that House Bill No. 38 be amended as follows:

“Strike out the period at the end of the title and insert in lieu thereof a comma and the following language: “and Declaring an Emergency.”

Which motion prevailed.

Senator Crandall moved that the rules be suspended and that House Bill No. 38 as amended, be placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 38. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 40; nays, 1; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.
Braaten
Coffey

Messrs.
Kolpin
Kroeber

Messrs.
Nelson, Grand F'ks.
Owings

Messrs.	Messrs.	Messrs.
Crandall	Lemke	Peterson
Drew	Lind	Strehlow
Dubay	Lowe	Stucke
Eastgate	Lynn	Thatcher
Ettestad	Marshall	Topp
Fowler	Matthaei	Trout
Greene, Cavalier	McDonald	Trovatten
Greene, Stutsman	McGillic	Vinje
Gronvold	Miklethun	Watt
Handley	Mutchler	Wog
Johnson	Nelson, Barnes	Young
Kamrath		

Those voting in the negative were:

Messrs.
Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Erickson	Jones
Brostuen	Fine	Whelan
Cain	Fredrickson	

So the bill passed and the title was agreed to, and the emergency clause declared carried.

House Bill No. 116. A Bill for an Act to Amend and Re-enact Section 9807 of the Compiled Laws of North Dakota 1913; Defining Riot.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 23; nays, 19; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Kroeber	Peterson
Erickson	Lemke	Stucke
Greene, Cavalier	Lind	Thatcher
Greene, Stutsman	Marshall	Thorson
Handley	Matthaei	Trout
Johnson	McDonald	Vinje
Kamrath	Miklethun	Wog
Kolpin	Owings	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Fowler	Nelson, Grand Fks.
Coffey	Gronvold	Strehlow
Crandall	Lowe	Topp
Drew	Lynn	Trovatten
Dubay	Mutchler	Watt
Eastgate	Nelson, Barnes	Young
Ettestad		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fredrickson	McGillic
Brostuen	Jones	Whelan
Fine		

So the bill was declared lost.

Senator Cain: "I am voting 'No' on this Bill for this reason: as I recall it, the law in every state in the Union defines riot as an overt act to destroy property or inflict injury by three or more persons. That has been the law in practically every state in this country since the inception of our government, and I can see no reason for changing and therefore I vote No."

House Bill No. 111. A Bill for an Act Entitled an Act to Empower the Governing Boards of Municipalities to Compromise and Fund Judgment Liabilities; to Issue Bonds in Satisfaction of Judgments Reduced in Amount by Compromise and Provide for the Form, Execution, Registration and Payment of the Same; and to Invest Municipalities with an Interest in Uncollected Special Assessments in Certain Cases.

Was read the second time.

ROLL CALL

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.
Braaten	Jones	Nelson, Grand Fks
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Crandall	Kroeber	Strehlow
Drew	Lemke	Stucke
Dubay	Lind	Thatcher
Eastgate	Lowe	Thorson
Erickson	Lynn	Topp
Ettestad	Marshall	Trout
Fowler	Matthaei	Trovatten
Greene, Cavalier	McDonald	Vinje
Greene, Stutsman	McGillic	Watt
Gronvold	Miklethun	Wog
Handley	Mutehler	Young
Johnson	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fine	Whelan
Brostuen	Fredrickson	

So the bill passed and the title was agreed to.

Senator Stucke moved that House Bill No. 353 be placed at the foot of the calendar.

Which motion prevailed.

House Bill No. 253. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 199 Session Laws of 1933 Relating to the Disposition of Fees and Payment of Expenses of the North Dakota Regulatory Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 43; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Kamrath	Nelson, Grand Fks.
Cain	Kolpin	Owings
Coffey	Kroeber	Peterson
Crandall	Lemke	Strehlow
Drew	Lind	Stucke
Dubay	Lowe	Thatcher
Eastgate	Lynn	Thorson
Ettestad	Marshall	Topp
Fowler	Matthaei	Trout
Greene, Cavalier	McDonald	Trovatten
Greene, Stutsman	McGillic	Vinje
Gronvold	Miklethun	Watt
Handley	Mutchler	Whelan
Johnson	Nelson, Barnes	Wog
Jones		

Those voting in the negative were:

Messrs.	Messrs.
Erickson	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fine	Fredrickson
Brostuen		

So the bill passed and the title was agreed to.

Senator Whelan asked unanimous consent to return to the Ninth Order of Business.

Which request was granted.

Senator Whelan requested that the telegram to President Roosevelt as prepared by the Sub-committee be read.

Which request was granted and the telegram read.

Senator Whelan moved that the telegram be dispatched at once at legislative expense.

Which motion prevailed.

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

March 4, 1935.

President of the Senate,
Twenty-fourth Legislative Assembly,
Bismarck, North Dakota.

Dear Mr. President:

I transmit to you herewith a Message which it is desired to present to the Members of your body.

Respectfully submitted,

WALTER WELFORD,
Acting Governor.

Senator Stucke moved that the Message from the Governor be printed in the Journal.

Which motion prevailed.

TO THE HONORABLE MEMBERS OF THE TWENTY-
FOURTH LEGISLATIVE ASSEMBLY:

Facts developed through study of plans for our state government during the next two years have revealed that a very undesirable condition will confront the citizens of the state unless immediate steps are taken to remedy the developing situation.

I am constrained to call your attention to the vast appropriation items present in proposed laws that were passed between the houses of the legislature by the 50th day of this assembly. A summary of these bills indicates that the sundry items total to an amount approximately as follows:

Senate	\$3,738,584.84
House of Representatives	2,262,163.26
Total.....	<u>\$6,000,748.10</u>

Under existing conditions I believe the totals above described cannot be justified, and must by all means be reduced. It is your duty to limit the total to a much smaller amount. Two years ago the total for all purposes of state government, after vetoes by the governor, was left at approximately \$4,500,000. The reduction of the appropriations to that amount, it afterwards developed, was too severe. Necessary expenses required that deficits be contracted which boosted the amount required to operate the government to the point that a figure of \$5,000,000 would not be an unreasonable total.

We should not go beyond that figure except as necessary for the education of our children and in the care of our indigent, our mental and physical defectives and for our un-

employed. To appropriate larger sums will be useless as the funds to pay cannot properly be raised when you consider general demands for money for needs other than strict governmental functions.

It is called to our attention that it is necessary for the duration of the present emergency for the state itself to take over the matter of educational financing to the end that our rural schools may be kept open and operated for the education of our children. This is unfortunate, and, because the plan presented for successful continuance indicates that \$1,929,125.00 per year is necessary, there are those interested in destructive propaganda who have striven to demonstrate that reckless extravagance is planned. You must safeguard against duplication of levy and provide that any special levies you may determine upon may only be a replacement.. I recommend that funds collected for school purposes be distributed under the direction of the State Board of Equalization, a state-wide board which will apportion the state's money discreetly to those schools entitled to receive it.

A very thorough study has been made by your committees to determine the requirements for school aid through the equalization fund. I am willing to accept the recommendation of the committee as being representative of the final requirement. The Superintendent of Public Instruction also concurs in the recommendation of the educational committee, and states that it is his opinion that the amounts as detailed hereunder are necessary to give proper care to the schools.

Annual Cost of Minimum Compromise Program Proposed by Sub-Committees:

1952 High School Units @ \$150	\$ 292,000.00
6537 Grade School Units @ \$125	817,125.00
8000 Non-resident H. S. St. @ \$40	320,000.00
For Equalizing Purposes	500,000.00
	<hr/>
Total	\$1,929,125.00

This will make a biennial requirement for the school maintenance of\$3,859,850.00

As a means of raising the revenue necessary to meet the requirement of the rural schools of \$1,929,125.00 per year, it is believed that some form of transaction tax must be resorted to. I know that the adoption of some form of this tax has been in your mind and under consideration for some time. Already there has been an enormous amount of pressure brought upon you to endeavor to induce you to refrain from enacting legislation to make a turn-over tax effective. This pressure is being brought solely for the purpose of embarrassing yourselves and the administration. I am convinced that no other form of tax will produce the revenue necessary for our schools. With a safeguard against a duplication of levy by also requiring the reduction of the district school levies, you have removed all possible objection

that there can be to the manner of taxing. Experience in the nineteen states having a retail sales tax in 1933 indicates that while these retail sales taxes were unpopular in the beginning, they have become more popular and the revenues raised have justified the use of the tax. There is nothing improper or irregular in the levy of a sales tax. It is the only means now available to permit our entire citizenry to participate in the support of their government. This opportunity to participate in the support is provided in direct proportion to the amount of money available to the person. Every patriotic citizen should be interested in the maintenance of our schools and should welcome an opportunity to contribute to the education of the youth of this state. I recommend that provision be made that revenues received from a turn-over or sales tax in excess of the amount required by the rural schools, be provided to be used for the support of our other educational or charitable institutions. I do not believe there is anyone who can justifiably criticize you for resorting to a sales tax to maintain our schools. A 2% sales tax should yield approximately \$2,000,000 per year. Consideration might be given to a provision for the levy of a 3% tax the first year, reduced to 2% the second year; additional funds derived possibly being used to provide additional construction required by the institutions provided for the care of the defectives. The immediate needs for schools have already been met by the transfer of the \$1,000,000 from the hail surplus fund.

You are also confronted with the fact that through the Bank of North Dakota the state government, acting either under direct mandate of the people or through legislative enactment, that had the approval of the people, has followed certain well defined policies and has contracted specific and continuing obligations. The people have always wanted their selected policies continued until they direct otherwise, and they want their obligations liquidated and carried out in an orderly manner. I am proceeding on this assumption and, therefore, ask that adequate means be provided to protect the integrity of the State's obligations. Two years ago provision was made for an amount of \$1,100,000 to be set aside from the Motor Vehicle Fund annually for three years, to care for the demand of the Bank of North Dakota Bond interest fund. The requirement for this fund for the next biennium it is estimated will be \$1,500,000 or \$700,000 less than for the past biennium. To allow the motor vehicle fund to be transferred for the third year and to divert \$400,000 of the money derived from the tax on the sale of beer for one year will meet the requirement for the biennium. It is believed this should be done in the interest of the State.

With the concerted drive which has been made by predatory interests on our State Bonds and the mass attack on the financial integrity of the State, it is more incumbent upon you to continue the Bond Stabilization program.

If it is found that the expense of the maintenance of the normal functions of the government can be kept within the

figure of \$5,000,000, we can assume that amount as a budgetary requirement. To meet this requirement we have the following anticipated income:

Funds on hand July 1st	\$ 627,146.17
General levy expected Tax Collections.....	2,000,000.00
Special taxes, Cigarette license, Cigarettes, Beer, etc.	1,500,000.00
Total	\$4,127,146.17

The above, therefore, reveals an apparent deficit for general requirements of approximately \$1,000,000. This amount must be realized from taxes levied against incomes or commodities not now especially contributing to the government. In any event, the million dollars must be raised. Some states have legalized the sale of liquor as a means of assisting in the maintenance of government. It is not known what steps your body might take in this line and I will not attempt to influence you therein.

Special levies that more closely follow and are assessed against the lines which have revealed most profits during the present emergency, should produce sufficient revenue to meet our needed requirements. I do not believe that it is fair to single out one industry to the exclusion of others and to make this industry our agent for the collection of needed revenues.

Gasoline consumption is too closely identified with agriculture production to make it desirable to add any increased burden. The normal sales tax ratio could be raised from 2% to 5% or more on some special items, and you would thereby have more nearly provided the revenue to meet the budgetary requirements.

The State is also confronted this year with a requirement not previously presented in budgetary needs, or rather not previously presented to the Legislature as something requiring additional funds. This is unemployment compensation, old age pension and general welfare. For the time being it is estimated that at least two million dollars will be required for the biennium. A condition is confronting us that must be met and the means for raising funds must be provided by this legislature.

Proposed Federal legislation dealing with the subject provides in general that states must share in contributions to relief funds of various natures. Eventually some system of control and unemployment compensation must be provided. We should give the worker work and through insurance give protection against unemployment, old age, sickness, disability and dependency. Unemployment reserves can be built up which will take care of seasonable or other variations in cyclical unemployment. Until Federal legislation has been enacted, however, which will furnish the guide for state participation, it is impracticable to enact State legislation and we must, therefore, continue through making grants where necessary. To do this will require the two million dollars above specified.

While I am opposed to the diversion of funds to uses other than that which were contemplated in the enacting laws, yet in an emergency we must make provision for diversion in cases where the funds can be better used for new purposes and where they are not absolutely necessary to our government in their present use.

There is a constitutional provision authorizing the issuance of \$2,000,000 general obligation bonds. I believe the Legislature should authorize the sale of these for relief activities, should it be shown later to be necessary. This action might satisfactorily care for all necessary provisions over the biennium in the event conditions do not improve. There is much talk of a special session and many members have been heard to remark that no constructive acts have come out of the legislature this year. I do not agree. A survey of the situation right now does not indicate to me that any special session will be needed. Ample time remains to clear the calendars of meritorious legislation if attention is directed to those bills which cover subjects necessarily related to our present administration.

Much time in committees and on the floor has been wasted in argument over preferential or personal legislation. You must enact your revenue legislation without regard to the plea of the special interests—you will be burdened for time and you must act accordingly. Some bills are in your possession which are designed to allow broader participation in Federal Government activities and to permit more extensive Federal works. Please scan closely all of these measures that you may not kill meritorious and needed authorities without knowledge thereof.

I believe that bills now left in committees or on the calendar should be studied closely, sorted and classified so that first priority will be given to needed corrective legislation, revenue bills, and appropriations. Other matters can follow but please do not allow the revenue measures and appropriations to become involved in last-minute squeezes.

March 4, 1935.

WALTER WELFORD,
Acting Governor.

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:

SENATE CONCURRENT RESOLUTION No. A-j

A Concurrent Resolution Congratulating W. E. Martin on His Eighty-fifth Birthday and Wishing Him Speedy Recovery from His Illness.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan 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 CONCURRENT RESOLUTION No. A-j

And the President signed the same in the presence of the Senate.

Senator Greene of Stutsman suggested that a basket of flowers be sent to Senator Martin along with Senate Concurrent Resolution A-j.

It was so ordered.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 4, 1935.

Mr. Speaker: I have the honor to transmit herewith the following:

SENATE CONCURRENT RESOLUTION "A-j"

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 300. A Bill for an Act to Amend and Re-enact Section 4809b6, of the Supplement to the 1913 Compiled Laws of North Dakota, Providing Enlarged Powers to Co-operative Marketing Associations in Connection with the Handling of Co-operative Products.

Was read the second time.

ROLL CALL

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.
Bonzer
Braaten

Messrs.
Kamrath
Kolpin

Messrs.
Nelson, Grand Fks.
Owings

Messrs.	Messrs.	Messrs.
Brostuen	Kroeber	Peterson
Cain	Lemke	Strehlow
Crandall	Lind	Stucke
Drew	Lowe	Thatcher
Dubay	Lynn	Thorson
Eastgate	Marshall	Topp
Ettestad	Matthaei	Trout
Fowler	McDonald	Vinje
Greene, Cavalier	McGillic	Watt
Greene, Stutsman	Miklethun	Whelan
Johnson	Mutchler	Wog
Jones	Nelson, Barnes	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Coffey	Fredrickson	Handley
Erickson	Gronvold	Trovatten
Fine		

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 4, 1935.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Resolution A-13.

Also inform you that the House has refused to concur in the Senate amendment to House Bill No. 30, and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives Place, Holte and Odegard.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 4, 1935.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 44, and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives Noben, Bauer and Olson of Hettinger.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 4, 1935.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 79.

Also inform you that the House has refused to concur in the Senate amendment to House Bill No. 60, and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives Randall, Meyers, and Fjeld.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 4, 1935.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 61, and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives Ritter, O'Brien and Sand.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House Bill No. 188. A Bill for an Act Relating to the Granting of Preventative Relief, Prescribing Conditions Thereof and Provisions Therefor; and Repealing Sections 7214a1, 7214a2 and 7214a3 of the Supplement to the 1913 Compiled Laws of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 43; nays, 2; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Mutchler
Braaten	Jones	Nelson, Barnes
Brostuen	Kamrath	Nelson, Grand Fks.
Cain	Kolpin	Owings
Coffey	Kroeber	Peterson
Drew	Lemke	Stucke
Dubay	Lind	Thatcher
Eastgate	Lowe	Thorson

Messrs.	Messrs.	Messrs.
Erickson	Lynn	Topp
Ettestad	Marshall	Trovatten
Fowler	Matthaei	Vinje
Greene, Cavalier	McDonald	Whelan
Greene, Stutsman	McGillic	Wog
Gronvold	Miklethun	Young
Handley		

Those voting in the negative were:

Messrs.	Messrs.
Strehlow	Watt

Absent and not voting:

Messrs.	Messrs.
Crandall	Fredrickson
Fine	Trout

So the bill passed and the title was agreed to.

The President announced the appointment of Senators Thatcher, Trovatten and Lemke as the Senate Conference Committee on House Bill No. 30.

Also,

Senators Handley, Fine and Dubay as the Senate Conference Committee on House Bill No. 44.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 4, 1935.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 30, Senators Thatcher, Trovatten and Lemke.

And a Conference Committee on House Bill No. 44 Senators Handley, Fine and Dubay.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Watt asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Watt presented the following communication and moved that it be read from the desk and printed in the Journal.

Which motion prevailed.

MONDAY, MARCH 4, 1935

1265

State of North Dakota
OFFICE OF ATTORNEY GENERAL
Bismarck

February 25, 1935.

Honorable William Watt,
State Senate,
Bismarck, N. Dak.

Dear Senator: Replying to your inquiry regarding appropriations.

Under our Constitution no money may be paid out of the State treasury unless an appropriation has been made therefor by the Legislature. Section 186. An appropriation is the setting aside of a certain amount of State revenue for the purpose of meeting an expense of the State government or some other expense that may be allowed by the Legislature. In departments that are self-supporting, that is the departments that collect more money than they expend, the appropriations made by the Legislature for those departments are limitations upon the amount collected which they may apply on any of the purposes for which an appropriation is made. In departments that are not self-supporting and that depend partly or entirely upon money appropriated, the appropriations made for any given purpose is the setting aside from the State revenue of the amount of the appropriation for the purpose mentioned in the appropriation.

Section 640a1 of the 1925 Supplement forbids any State official from spending any more money than is appropriated by the Legislature and Section 640a2 provides the penalty that the offending State official may be subjected to in case of violation of the section cited. Furthermore, any expense that a State official incurs in excess of the appropriation made by the Legislature for any given purpose is absolutely void.

The Legislature is the sole judge of the amount of money which any department may spend for any purpose. In this connection, however, I desire to state further that in case of an emergency a department may with the consent of the Emergency Commission expend a sum not exceeding 10% above the amount appropriated by the Legislature for any given purpose, and also in case of an emergency amounting to an extremity, the Emergency Commission is given power to draw out of the State treasury subject to future appropriation by the Legislature an amount necessary to meet that extremity, and as recently passed upon by our Supreme Court, in connection with the publication of the publicity pamphlet, the Emergency Commission may order the payment of an expense incurred in case of an extremity, even though there are no funds available in the so-called Emergency Fund.

Trusting that this may fully answer your inquiry, I beg to remain,

Your very truly,

CHAS. A. VERETT,
Assistant Attorney General.

CAV*RGM

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 4, 1935.

Mr. President: I have the honor to return:

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Chapter 163 of the Session Laws of 1933, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles, That May Be Driven and Moved Upon the Highways of the State of North Dakota, and Prescribing Penalty for Violation Thereof.

Which the House has amended, page 22, House Journal, February 28.

Also,

Senate Bill No. 19. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses of the State Penitentiary.

Page 10, House Journal, March 2.

Also,

Senate Bill No. 131. A Bill for an Act Authorizing and Empowering the Governor to Accept a Conveyance in Trust of the Lands Comprising the International Peace Garden to the State of North Dakota; Setting Forth the Terms and Conditions of the Trust; Vesting the Custody, Control, Possession, Supervision, Management and Operation of Such Lands in the Board of Directors of the International Peace Garden, Inc.; Vesting in the State Historical Society General Supervision of Such Lands, and Expressly Empowering the State Historical Society to Co-operate in the Establishment, Promotion and Development of the International Peace Garden for the Purpose of Furthering International Peace Among the Nations of the World; Providing for the Duration of Such Trust, and Repealing All Acts, or Parts of Acts, in Conflict Herewith, and Declaring That an Emergency Exists for the Immediate Enactment of This Act.

Page 4, House Journal, March 1.

Also,

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 7731, Supplement to the Compiled Laws of 1913, Relating to Exemptions of Personal Property from Attachment, Levy and Sale on Execution, and Defining "Head of Family" as Defined by Section 5626 of the Compiled Laws of 1913, and Exemptions of a Single Person, and Declaring an Emergency.

Page 4, House Journal, March 1.

Also,

House Bill No. 138. A Bill for an Act Providing for Conciliation of Controversies, Providing for Notice, Hearing and Conciliator's Certificate Before Judgment May Be Entered in Certain Actions, and Repealing Sections 9192a1 to 9192a14, Both Inclusive, as Amended, of the 1925 Supplement to the Compiled Laws of North Dakota.

Page 2, House Journal, also, page 41, February 23.

Also,

Senate Bill No. 241. A Bill for an Act to Provide for the Conditional Examination of Witnesses Held to Appear Before a Grand Jury or Court When Such Witnesses Are Unable to Give the Security Required by the Court.

Page 34, House Journal, February 28.

Also,

Senate Bill No. 242. A Bill for an Act to Amend and Re-enact Section 11119, Compiled Laws of 1913, and to Permit the Deposit of Money or Bonds as Bail in Criminal Cases.

Page 5, House Journal, March 1.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Whelan requested that action be deferred on Senate Bill No. 90 until the author of the bill was present.

Which request was granted.

Senator Watt moved that the Senate do not concur in the House amendments to Senate Bill No. 19, and that a Conference Committee be appointed.

Which motion prevailed.

The President announced the appointment of Senators Watt, Whelan and Mutchler as the Senate Conference Committee on Senate Bill No. 19.

Senator Bonzer moved that the Senate do concur in the House amendments to Senate Bill No. 90.

Which motion prevailed.

Senator Johnson moved that the rules be suspended and that House Bill No. 90, as amended, be placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Chapter 163 of the Session Laws of 1933, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles, That May Be Driven and Moved Upon the

Highways of the State of North Dakota, and Prescribing Penalty for Violation Thereof.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	Owings
Braaten	Kamrath	Peterson
Brostuen	Kolpin	Strehlow
Coffey	Kroeber	Stucke
Crandall	Lemke	Thatcher
Drew	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fowler	McDonald	Vinje
Fredrickson	McGillic	Watt
Greene, Cavalier	Miklethun	Whelan
Gronvold	Mutchler	Wog
Johnson	Nelson, Barnes	Young

Those voting in the negative were:

Messrs.	Messrs.
Matthaei	Nelson, Grand Fks.

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Fine	Handley
Dubay	Greene, Stutsman	

So the bill passed and the title was agreed to and the emergency clause declared carried.

The President announced the appointment of Senators Stucke, Eastgate and McGillic as the Senate Conference Committee on House Bill No. 60.

The President announced the appointment of Senators Vinje, Lowe and Miklethun as the Senate Conference Committee on House Bill No. 61.

Senator Gronvold moved that the Senate do concur in the House amendment to Senate Bill No. 131.

Which motion prevailed.

Senator Gronvold moved that the rules be suspended and that Senate Bill No. 131, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 131. A Bill for an Act Authorizing and Empowering the Governor to Accept a Conveyance in Trust

of the Lands Comprising the International Peace Garden to the State of North Dakota; Setting Forth the Terms and Conditions of the Trust; Vesting the Custody, Control, Possession, Supervision, Management and Operation of Such Lands in the Board of Directors of the International Peace Garden, Inc.; Vesting in the State Historical Society General Supervision of Such Lands, and Expressly Empowering the State Historical Society to Co-operate in the Establishment, Promotion and Development of the International Peace Garden for the Purpose of Furthering International Peace Among the Nations of the World; Providing for the Duration of Such Trust, and Repealing All Acts, or Parts of Acts, in Conflict Herewith, and Declaring That an Emergency Exists for the Immediate Enactment of This Act.

Was read the second time.

ROLL CALL

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.
Bonzer	Johnson	Nelson, Barnes
Braaten	Jones	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Crandall	Lemke	Stucke
Drew	Lind	Thatcher
Eastgate	Lowe	Thorson
Erickson	Lynn	Topp
Ettestad	Marshall	Trout
Fowler	Matthaei	Trovatten
Fredrickson	McDonald	Vinje
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Dubay	Handley	Watt
Fine		

So the bill passed and the title was agreed to and the emergency clause declared carried.

The President announced the appointment of Senators Watt, Whelan and Mutchler as the Senate Conference Committee on Senate Bill No. 19.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 4, 1935.

Mr. President: I have the honor to return herewith the following:

SENATE CONCURRENT RESOLUTION NO. A-j

Also,

Senate Bill No. 159. A Bill for an Act to Provide for Reciprocal Fire Underwriters' Licenses.

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 4, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 19 and the President has appointed as a Conference Committee, Senators Watt, Whelan and Mutchler.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Matthaei moved that the Senate do concur in the House amendments to Senate Bill No. 143.

Which motion prevailed.

Senator Matthaei moved that the rules be suspended and that Senate Bill No. 143, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 7731, Supplement to the Compiled Laws of 1913, Relating to Exemptions of Personal Property from Attachment, Levy and Sale on Execution, and Defining "Head of Family" as Defined by Section 5626 of the Compiled Laws of 1913, and Exemptions of a Single Person, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 42; nays, 0; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Johnson	Mutchler
Brostuen	Jones	Nelson, Barnes

Messrs.	Messrs.	Messrs.
Cain	Kamrath	Nelson, Grand Fks.
Coffey	Kolpin	Owings
Crandall	Kroeber	Peterson
Drew	Lemke	Strehlow
Eastgate	Lind	Stucke
Erickson	Lowe	Thorson
Ettestad	Lynn	Topp
Fowler	Marshall	Trout
Fredrickson	Matthaei	Trovatten
Greene, Cavalier	McDonald	Vinje
Greene, Stutsman	McGillic	Wog
Gronvold	Miklethun	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Watt
Dubay	Thatcher	Whelan
Fine		

So the bill passed and the title was agreed to and the emergency clause declared carried.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 4, 1935.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 60, Senators Stucke, Eastgate and McGillic.

And a Conference Committee on House Bill No. 61, Senators Vinje, Lowe and Miklethun.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Matthaei moved that the Senate do not concur in the House amendments to Senate Bill No. 138, and that a Conference Committee be appointed.

Senator Erickson moved, as a substitute motion, that the Senate do concur in the House amendments to Senate Bill No. 138.

Senator Cain requested further action on Senate Bill No. 138 be deferred a few minutes.

Senator Fredrickson asked unanimous consent to return to the Fifth Order of Business.

Which request was granted.

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 54. 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.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the engrossed bill, strike out the figures "\$196,-222.00" and insert in lieu thereof the figures "207,630.00."

In line 11 of the engrossed bill, strike out the figures "28,-800.00 and insert in lieu thereof the figures "32,208.00."

In line 31 of the engrossed bill, strike out the figures "\$267,-122.20" and insert in lieu thereof the figures "\$270,530.00."

In line 32 of the engrossed bill, strike out the figures "88,-000.00" and insert in lieu thereof the figures "80,000.00."

In line 33 of the engrossed bill strike out the figures "\$179,-122.00" and insert in lieu thereof the figures "\$190,530.00."

In line 44 of the engrossed bill, strike out the figures "\$196,-222.00" and insert in lieu thereof the figures "\$207,630.00."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Matthaei moved that the Senate defer action on House amendments to Senate Bill No. 138 until tomorrow morning.

Which motion prevailed.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 59. 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, North Dakota.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3 of the engrossed bill, strike out the figures "\$71,458.00" and insert in lieu thereof the figures "\$196,458.00."

After line 40 (item—"Heating and Plumbing") add the following:

"40a New Buildings:

40b 1. Girls Dormitory--First Unit 100,000.00"

After line 46 of the engrossed bill (item—"Ice Machine") add the following:

"46a 6. Furniture, Fixtures, and Furnishings 25,000.00"

In line 50 of the engrossed bill (item—"Total") strike out the figures "\$71,458.00" and insert in lieu thereof the figures "\$196,458.00."

At the end of the bill add the following:

Section 2. OTHER FUNDS. DUTIES OF BOARD OF ADMINISTRATION.) The Board of Administration may also enter into any agreement relative to any funds which may be obtained from the Federal Government or any of its agencies, for the purpose of assisting in the construction of such new building, which funds may then be added to the appropriation hereby made therefor, such agreement to conform with the rules and regulations of the Federal Government or its agencies incident to obtaining such funds, and in case such funds shall be procured, then the total cost of said building may, in the discretion of the Board, exceed the amount hereby appropriated therefor; provided, however, that the total disbursements to be made out of state moneys in the construction and equipment of said new building shall in no case exceed the amount hereby appropriated therefor.

Section 3. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 57. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs and Equipment of the State School of Science at Wahpeton, North Dakota.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 56. 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 3 of the engrossed bill, strike out the figures "\$130,-234.00" and insert in lieu thereof the figures "\$184,384.00."

In line 12 of the engrossed bill, strike out the figures "10,-950.00" and insert in lieu thereof the figures "25,800.00."

In line 15 of the engrossed bill, strike out the figures "3,-000.00" and insert in lieu thereof the figures "6,000.00."

In line 30 of the engrossed bill, strike out the figures "\$152,-034.00" and insert in lieu thereof the figures "\$169,884.00."

In line 33 of the engrossed bill, strike out the figures "122,-034.00" and insert in lieu thereof the figures "\$139,884.00."

After line 38 of the engrossed bill add the following:

"38a 1. Power Plant Repair and Replacing Equipment	36,300.00"
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In line 52 of the engrossed bill, strike out the figures "\$130,-234.00" and insert in lieu thereof the figures "\$184,384.00."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 55. 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 do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 62. 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, North Dakota.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 7. A Bill For an Act to Provide for the Weighing, Grading, Feeding, Docking and Watering of Live-stock at Packing Plants, Slaughtering Houses and Concentration Points.

Have had the same under consideration and recommend that the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Cain moved that the Senate do concur in the House amendments to Senate Bill No. 241.

Which motion prevailed.

Senator Johnson moved that the rules be suspended, that Senate Bill No. 241, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 241. A Bill for an Act to Provide for the Conditional Examination of Witnesses Held to Appear Before a Grand Jury or Court When Such Witnesses Are Unable to Give the Security Required by the Court.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	Nelson, Grand Fks.
Braaten	Kamrath	Owings
Brostuen	Kolpin	Peterson
Cain	Kroeber	Strehlow
Coffey	Lind	Stucke
Crandall	Lynn	Thorson
Drew	Marshall	Topp
Ettestad	Matthaei	Trout
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Gronvold	Mutchler	Wog
Johnson	Nelson, Barnes	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Dubay	Greene, Stutsman	Miklethun
Eastgate	Handley	Thatcher
Erickson	Lemke	Trovatten
Fine	Lowe	Vinje
Greene, Cavalier		

So the bill passed and the title was agreed to.

Senator Cain moved that the Senate do concur in the House amendments to Senate Bill No. 242.

Which motion prevailed.

Senator Matthaei moved that the rules be suspended, and that Senate Bill No. 242, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 242. A Bill for an Act to Amend and Re-enact Section 11119, Compiled Laws of 1913, and to Permit the Deposit of Money or Bonds as Bail in Criminal Cases.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Jones	Nelson, Grand F'ks.
Braaten	Kamrath	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Crandall	Lind	Stucke
Drew	Lowe	Thorson
Eastgate	Lynn	Topp
Ettestad	Marshall	Trout
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young
Johnson	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brostuen	Fine	Thatcher
Dubay	Handley	Trovatten
Erickson	Lemke	

So the bill passed and the title was agreed to.

Senator Matthaei moved that House Bill No. 360 be amended as follows:

On page 2, of the printed bill, in line 21, following the word "have," insert the following language: "been a bona fide resident within the State of North Dakota for at least one year prior to the date such purchase is made, and shall have."

And in line 23, strike out the words "one year," and insert in lieu thereof the words "thirty days."

Which motion was lost.

House Bill No. 360. A Bill for an Act Giving Preference to North Dakota Bidders and Sellers; Defining Such North Dakota Bidders and Sellers, and Prescribing the Nature of Preference to Be Given.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 39; nays, 2; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Brostuen	Kolpin	Owings
Cain	Kroeber	Peterson
Coffey	Lind	Strehlow
Crandall	Lowe	Stucke
Drew	Lynn	Thatcher
Eastgate	Marshall	Thorson
Fowler	Matthaei	Topp
Fredrickson	McDonald	Trout
Greene, Cavalier	McGillic	Vinje
Greene, Stutsman	Miklethun	Watt
Gronvold	Mutchler	Whelan
Johnson	Nelson, Barnes	Wog
Jones	Nelson, Grand Fks.	Young
Kamrath		

Those voting in the negative were:

Messrs.	Messrs.
Bonzer	Ettestad

Absent and not voting:

Messrs.	Messrs.	Messrs.
Braaten	Fine	Lemke
Dubay	Handley	Trovatten
Erickson		

So the bill passed and the title was agreed to.

House Bill No. 328. A Bill for an Act for the Transfer of License Tags Required for Trucks Engaged in Commercial Freighting, as Provided by Sub-division C of Section 5 of Chapter 186 of the Session Laws of 1931, to Another Truck Owned by the Same License Holder, Upon the Sale or Destruction of Such Commercial Freighting Truck, so Licensed; Prohibiting Automobile Dealers from Permitting the Use of A Dealers License by Another Dealer and Providing Penalty Therefor.

Was read the second time.

ROLL CALL

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.
Braaten	Johnson	Nelson, Barnes
Cain	Jones	Nelson, Grand Fks.
Coffey	Kamrath	Owings

Messrs.	Messrs.	Messrs.
Crandall	Kolpin	Peterson
Drew	Kroeber	Strehlow
Eastgate	Lowe	Stucke
Erickson	Lynn	Topp
Ettestad	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Thorson	Trout
Lind		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Thatcher
Dubay	Lemke	Trovatten
Fine		

So the bill passed and the title was agreed to.

House Bill No. 67. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerk-hire, Postage and Travel Expense of the Office of Department of Agriculture and Labor.

Was read the second time.

ROLL CALL

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.
Bonzer	Johnson	Nelson, Barnes
Braaten	Jones	Nelson, Grand Fks.
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Crandall	Kroeber	Strehlow
Drew	Lind	Stucke
Dubay	Lowe	Thorson
Eastgate	Lynn	Topp
Ettestad	Marshall	Trout
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brostuen	Fredrickson	Thatcher
Erickson	Lemke	Trovatten

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 61. 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 second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trout
Ettestad	Lynn	Trovatten
Fowler	Marshall	Vinje
Fredrickson	McGillic	Watt
Greene, Cavalier	Miklethun	Whelan
Greene, Stutsman	Mutchler	Wog
Gronvold	Nelson, Barnes	Young

Those voting in the negative were:

Messrs.
Matthaei

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fine	McDonald
Brostuen	Handley	Thatcher

So the bill passed and the title was agreed to.

House Bill No. 292. A Bill for an Act Authorizing and Empowering Cities and Villages to Issue Bonds for the Purpose of Purchasing Outstanding Special Improvement Warrants, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the

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roll was called and there were ayes, 33; nays, 8; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Nelson, Barnes
Braaten	Jones	Nelson, Grand Fks.
Cain	Lind	Peterson
Coffey	Lowe	Strehlow
Crandall	Lynn	Topp
Drew	Marshall	Trout
Dubay	Matthaei	Vinje
Fowler	McDonald	Watt
Greene, Stutsman	McGillic	Whelan
Gronvold	Miklethun	Wog
Handley	Mutchler	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fine	Kolpin	Stucke
Greene, Cavalier	Kroeber	Thorson
Kamrath	Owings	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brostuen	Ettestad	Thatcher
Eastgate	Fredrickson	Trovatten
Erickson	Lemke	

So the bill passed and the title was agreed to and the emergency clause declared carried.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 4, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 90.

Also, Senate Bill No. 131.

Also, Senate Bill No. 143.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 4, 1935.

Mr. Speaker: I have the honor to inform you that the

Senate has concurred in the House amendment to Senate Bill No. 241.

Also, Senate Bill No. 242.

Very respectfully,

F. E. TUNELL,
Secretary.

REPORT OF SELECT COMMITTEES

Your Conference Committee which was appointed to serve with a like Committee from the House on House Bill No. 61, beg leave to report:

That the Senate recede from its amendments and the bill pass as it left the House.

For the House:

CHRIST P. RITTER,
PAUL A. SAND,
HARRY O'BRIEN.

For the Senate:

JOHN L. MIKLETHUN,
SYVER VINJE,
WM. J. LOWE.

Senator Vinje moved that the report be adopted and the Committee discharged.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 4, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 61.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Miklethun moved that the rules be suspended and that House Bill No. 61 be placed upon second reading and final passage.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 4, 1935.

Mr. Speaker: I have the honor to transmit herewith the following:

SENATE CONCURRENT RESOLUTION "A-g"

Also,

SENATE CONCURRENT RESOLUTION "A-i"

Which the Senate has adopted and your favorable consideration is respectfully requested.

Also return:

House Bill No. 111. A Bill for an Act Entitled an Act to Empower the Governing Boards of Municipalities to Compromise and Fund Judgment Liabilities; to Issue Bonds in Satisfaction of Judgments Reduced in Amount by Compromise and Provide for the Form, Execution, Registration and Payment of the Same; and to Invest Municipalities with an Interest in Uncollected Special Assessments in Certain Cases.

Also,

House Bill No. 253. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 199 Session Laws of 1933 Relating to the Disposition of Fees and Payment of Expenses of the North Dakota Regulatory Department.

Also,

House Bill No. 300. A Bill for an Act to Amend and Re-enact Section 4809b6, of the Supplement to the 1913 Compiled Laws of North Dakota, Providing Enlarged Powers to Co-operative Marketing Associations in Connection with the Handling of Co-operative Products.

Also,

House Bill No. 188. A Bill for an Act Relating to the Granting of Preventative Relief, Prescribing Conditions Thereof and Provisions Therefor; and Repealing Sections 7214a1, 7214a2 and 7214a3 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 360. A Bill for an Act Giving Preference to North Dakota Bidders and Sellers; Defining Such North Dakota Bidders and Sellers, and Prescribing the Nature of Preference to Be Given.

Also,

House Bill No. 328. A Bill for an Act for the Transfer of License Tags Required for Trucks Engaged in Commercial Freighting, as Provided by Sub-division C of Section 5 of Chapter 186 of the Session Laws of 1931, to Another Truck Owned by the Same License Holder, Upon the Sale or Destruction of Such Commercial Freighting Truck, so Licensed; Prohibiting Automobile Dealers from Permitting the Use of A Dealers License by Another Dealer and Providing Penalty Therefor.

Which the Senate has passed unchanged.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Bonzer moved that the Senate do now recess until 7:30 P. M.

Which motion prevailed.

The Senate stood recessed.

The Senate convened at 7:30 P. M. pursuant to recess taken, President pro tem. Marshall presiding.

The following resolutions were delivered to the Secretary of State:

SENATE CONCURRENT RESOLUTION "E"

Also,

SENATE CONCURRENT RESOLUTION "U"

Also,

SENATE CONCURRENT RESOLUTION "A-c"

SECOND READING OF HOUSE BILLS

House Bill No. 287. A Bill for an Act Creating and Establishing a Lien in Connection With the Planting, Cultivation and Harvesting of Sugar Beets, to Be Known as Sugar Beet Crop Production Lien, Providing the Manner in Which Such Lien Shall Be Perfected, the Priority Thereof, and Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 36, nays, 4; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Jones	Nelson, Barnes
Brostuen	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Stucke
Eastgate	Lind	Thatcher
Ettestad	Lowe	Thorson
Fine	Lynn	Trout
Fowler	Marshall	Vinje
Fredrickson	McDonald	Whelan
Greene, Stutsman	McGillic	Wog
Gronvold	Miklethun	Young
Handley	Mutchler	
Johnson		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Cavalier	Owings
Erickson		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Kamrath	Topp
Coffey	Matthaei	Trovatten
Crandall	Nelson, Grand Fks.	Watt

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 176. A Bill for an Act Authorizing the Board of County Commissioners to Provide Room or Rooms in the Courthouse for the Exclusive Use of ex-Service Men Who Served in Any War in Which the United States Has Been Engaged.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 39; nays, 2; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Miklethun
Braaten	Gronvold	Mutchler
Brostuen	Handley	Nelson, Barnes
Coffey	Johnson	Peterson
Drew	Jones	Strehlow
Dubay	Kroeber	Stucke
Eastgate	Lemke	Thatcher
Erickson	Lind	Thorson
Ettestad	Lowe	Trout
Fine	Lynn	Vinje
Fowler	Marshall	Whelan
Fredrickson	McDonald	Wog
Greene, Cavalier	McGillic	Young

Those voting in the negative were:

Messrs.	Messrs.
Kolpin	Owings

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Matthaei	Trovatten
Crandall	Nelson, Grand Fks.	Watt
Kamrath	Topp	

So the bill passed and the title was agreed to.

House Bill No. 204. A Bill for an Act to Repeal Section 10135b of the Supplement to the 1913 Compiled Laws of

North Dakota Relating to Prohibiting Smoking in Specified Places, and the Penalties, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 26; nays, 15; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Nelson, Barnes
Braaten	Kolpin	Owings
Brostuen	Kroeber	Peterson
Coffey	Lind	Strehlow
Dubay	Lowe	Thorson
Eastgate	Lynn	Trout
Ettestad	Matthaei	Whelan
Fowler	McDonald	Wog
Fredrickson	McGillic	Young
Greene, Stutsman		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Drew	Handley	Mutchler
Erickson	Jones	Stucke
Fine	Lemke	Thatcher
Greene, Cavalier	Marshall	Vinje
Gronvold	Miklethun	Watt

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Kamrath	Topp
Crandall	Nelson, Grand Fks.	Trovatten

So the bill passed and the title was agreed to, and the emergency clause was declared lost.

Senator Greene of Stutsman moved that the vote by which House Bill No. 204 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Erickson: "I still can't believe that cigarette ashes and dishwater make good soup, therefore I vote No."

Senator Ettestad: "Since we put this law on the statute books some years ago I notice that women and everybody have learned to smoke and therefore I vote aye."

Senator Stucke moved that House Bill No. 236 be amended as follows:

"Strike out the amendment as made by the Standing Committee."

Which motion prevailed.

Senator Dubay moved that the rules be suspended and that House Bill No. 236, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 236. A Bill for an Act to Amend and Re-enact Section 409 of the Compiled Laws of North Dakota for 1913 as Amended by Chapter 105 of the Session Laws of North Dakota for 1929, Relating to Compensation of President, Vice President of the Board of Health and County Superintendent of Health, Mileage and Expenses, and Repealing All Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 44; nays, 1; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Drew	Lemke	Stucke
Dubay	Lind	Thatcher
Eastgate	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Those voting in the negative were:

Messrs.
Erickson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Thorson	Trovatten
Kamrath		

So the bill passed and the title was agreed to.

The President pro tem. called Senator Eastgate to the chair to preside.

House Bill No. 278. A Bill for an Act Authorizing the State of North Dakota to Manufacture, at its Own Cost, for its Own Use, the Hoiland Economy Road Planer, and Pay the

Patentee, Albert Hoiland, the sum of \$5.00 for Each Planer so Manufactured and Used.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 28; nays, 18; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Mutchler
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Owings
Coffey	Kolpin	Peterson
Drew	Lemke	Strehlow
Dubay	Lind	Topp
Erickson	Marshall	Trout
Ettestad	Matthaei	Watt
Fredrickson	Miklethun	Wog
Greene, Cavalier		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Kamrath	Nelson, Grand Fks.
Eastgate	Kroeber	Stucke
Fine	Lowe	Thatcher
Fowler	Lynn	Vinje
Gronvold	McDonald	Whelan
Jones	McGillic	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Thorson	Trovatten

So the bill passed and the title was agreed to.

Senator Cain: "I am going to vote 'no' on this Bill for two reasons. The first reason is that we were unable when this bill was before the committee, and also at the present time, to find out what the cost of the manufacture of these blades might be or what the cost to the State might be to put in necessary machinery for the manufacture of these blades. The second, and more important reason why I am voting 'No' is this, that it puts us in direct competition with our free labor. We have been getting a lot of Federal money; we are trying now to provide State money to take care of the unemployed in this State, and I do not believe it is proper for this legislative assembly to enact a law that will place the convict labor in direct competition with the free labor of this State."

Senator Erickson: "I am voting 'aye' for this bill because the equipment is already at the Penitentiary and not much expense is necessary to build these except the buying of the

steel and these blades can be built at a cost to the State not to exceed 65c, whereas, if we bought them on the open market we would pay \$1.50. Furthermore, I am voting 'aye' because it is not in direct competition with free labor in the State of North Dakota, because no such manufacturers are established in this State."

Senator Jones: "Two years ago I was chairman of the Ways and Means Committee and they came before us with a proposition to manufacture license tags in the State Penitentiary. There was a man from Minneapolis appeared before us who told us he could furnish these tags for 6 $\frac{3}{4}$ c apiece. I understand by the report now offered that they are costing us eight and a fraction cents. The Minneapolis man said every man in his shop was to be a union man and the tags were to be made by union labor.

"I always have been against Penitentiary-made goods and as far as consistency goes, I think some of the Senators here are jewels, because, how in the world can we ever furnish work for the farm labor party when every chance we get to put something that can be manufactured in the Penitentiary, it is done. I think it is unfair and unjust to the laboring people in North Dakota, and therefore I vote 'no.'"

Senator McDonald: "I vote 'no' on this bill because it is being manufactured by convicts, direct competition to free labor. Under the present conditions we have a million men on relief and I do not believe that this legislature should allow State prisoners to work on this kind of work that free labor should do. I vote 'no.'"

Senator Stucke: "I believe we have gone just about far enough in dealing in convict-made goods. I believe that while there may not be any competition with our free labor in North Dakota, yet we belong to a great Commonwealth of States, and an injury to the worker in any other State is an injury to the workers in North Dakota, therefore, I vote 'no.'"

Senator Bonzer: "I believe that the boys were sent out there for correction in order to earn their way back to society. I don't believe we should continue to give them Oriental rugs and radios, so I am going to vote 'aye.' I want them to go to work."

House Bill No. 353. A Bill for an Act to Amend and Re-enact Section 3080a4 of the Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Labeling of Gasoline and Kerosene.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Grand Fks.
Braaten	Handley	Owings
Brostuen	Jones	Peterson
Cain	Kolpin	Strehlow
Coffey	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Trout
Eastgate	Lynn	Trovatten
Erickson	Matthaei	Vinje
Fine	McDonald	Watt
Fowler	McGillic	Whelan
Fredrickson	Miklethun	Wog
Greene, Cavalier	Mutchler	Young
Greene, Stutsman	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Ettestad	Kamrath	Topp
Johnson	Lowe	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Marshall	Thorson

So the bill passed and the title was agreed to.

HOUSE CONCURRENT RESOLUTION A-11

Was read the second time.

Senator Fine moved that House Concurrent Resolution A-11 be adopted, which motion prevailed and the Resolution was adopted.

Senator Johnson moved that House Bill No. 311 be amended as follows:

In line 3 of the printed Bill, strike out the letter "a," after the figures "470."

Which motion prevailed.

Senator Johnson moved that the rules be suspended and that House Bill No. 311, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 311. A Bill for an Act to Amend and Re-enact Section 470 of the Compiled Laws of the State of North Dakota for 1913 Being Section 13 of Chapter 189 Session Laws of 1911 Relating to Penalties for Violation of the Laws Concerning the Practice of Medicine and Surgery.

Was read the second time.

ROLL CALL

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.
Bonzer	Kamrath	Nelson, Grand Fks.
Braaten	Kolpin	Owings
Brostuen	Kroeber	Peterson
Cain	Lemke	Strehlow
Coffey	Lind	Stucke
Dubay	Lowe	Thatcher
Eastgate	Lynn	Topp
Erickson	Marshall	Trout
Ettestad	Matthaei	Trovatten
Fredrickson	McDonald	Vinje
Greene, Cavalier	McGillic	Watt
Gronvold	Miklethun	Whelan
Handley	Mutchler	Wog
Johnson	Nelson, Barnes	Young
Jones		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Fine	Greene, Stutsman
Drew	Fowler	Thorson

So the bill passed and the title was agreed to.

Senator Brostuen moved that the Senate defer action on Appropriation Bills until the Message from the Governor has been considered.

Which motion prevailed.

House Bill No. 330. A Bill for an Act to Provide for the Creation of County Parks and for the Organization of Board of County Park Commissioners and for the Regulation and Control of Said County Parks and Lands Adjacent Thereto.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Coffey	Kamrath	Stucke
Drew	Kroeber	Thatcher

Messrs.	Messrs.	Messrs.
Dubay	Lemke	Topp
Eastgate	Lind	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fowler	Matthaei	Whelan
Fredrickson	McDonald	Wog
Greene, Cavalier	McGillic	Young
Gronvold	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Lowe	Strehlow	Watt
Miklethun		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Greene, Stutsman	Nelson, Grand Fks.
Crandall	Kolpin	Thorson
Fine		

So the bill passed and the title was agreed to.

Senator Lowe moved that House Bill No. 220 be amended as follows:

In line 2, Section 1, strike out the words "either owned or."

Which motion was lost.

House Bill No. 220. A Bill for an Act to Prohibit Dancing In, On, Or About Places Where the Licensed Sale or Distribution of Wines, Beer or Vinous Liquor is Conducted, and Providing the Penalty for Violation, Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 34; nays, 10; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Cavalier	Mutchler
Braaten	Gronvold	Nelson, Barnes
Brostuen	Handley	Owings
Coffey	Johnson	Peterson
Drew	Kamrath	Stucke
Dubay	Kolpin	Thatcher
Eastgate	Lemke	Topp
Erickson	Lind	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Wog
Fredrickson		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Jones	McGillic	Strehlow
Kroeber	Miklethun	Trout
Lowe	Nelson, Grand Fks.	Young
Lynn		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Greene, Stutsman	Whelan
Crandall	Thorson	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Brostuen moved that the vote by which House Bill No. 220 was passed be reconsidered and the motion to reconsider be laid on the table.

Senator Erickson moved that the Senate do now recess for five minutes.

Which motion was lost.

Senator Brostuen withdrew his motion.

Senator Miklethun 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 was lost.

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 6077 of the 1913 Compiled Laws of the State of North Dakota Relating to the Rate of Interest on Judgments.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Cain	Kolpin	Peterson
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lind	Trout
Erickson	Lowe	Trovatten
Ettestad	Marshall	Vinje
Fine	McDonald	Watt
Fowler	McGillic	Whelan
Fredrickson	Miklethun	Wog
Greene, Cavalier		Young
Gronvold	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Coffey	Lynn	Topp
Jones	Strehlow	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Matthaei	Thorson
Greene, Stutsman		

So the bill passed and the title was agreed to.

House Bill No. 3. A Bill for an Act to Amend and Re-enact Section 6072 of the Supplement to the 1913 Compiled Laws of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 35; nays, 11; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Cavalier	Mutchler
Braaten	Gronvold	Nelson, Barnes
Brostuen	Handley	Nelson, Grand Fks.
Cain	Johnson	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Stucke
Dubay	Lemke	Thatcher
Erickson	Lind	Trout
Ettestad	Marshall	Vinje
Fine	McDonald	Wog
Fowler	McGillic	Young
Fredrickson	Miklethun	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Drew	Lowe	Trovatten
Eastgate	Lynn	Watt
Jones	Strehlow	Whelan
Kroeber	Topp	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Greene, Stutsman	Matthaei	Thorson

So the bill passed and the title was agreed to.

Senator Cain moved that House Bill No. 295 be amended as follows:

“Strike out Section five.”

Which motion prevailed.

Senator Cain moved that the rules be suspended and that House Bill No. 295, as amended, be placed upon second reading and final passage.

Which motion prevailed.

President pro tem. Marshall resumed the chair.

House Bill No. 295. A Bill for an Act Prohibiting Real Estate and Chattel Mortgages Given to Secure the Purchase or Contract Price of Personal or Real Property from Including or Creating a Lien on Any Real or Personal Property Other Than the Property Purchased for Which Said Mortgage is Given to Secure; Invalidating Real and Chattel Mortgages Given in Violation of This Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 28; nays, 18; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kamrath	Mutchler
Braaten	Kolpin	Nelson, Barnes
Brostuen	Kroeber	Owings
Dubay	Lemke	Stucke
Fine	Lind	Thatcher
Fredrickson	Marshall	Thorson
Greene, Cavalier	McDonald	Trout
Handley	McGillic	Vinje
Johnson	Miklethun	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Strehlow
Coffey	Jones	Topp
Crandall	Lowe	Trovatten
Drew	Lynn	Watt
Eastgate	Nelson, Grand Fks.	Whelan
Ettestad	Peterson	Young
Fowler		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Greene, Stutsman	Matthaei

So the bill passed and the title was agreed to.

Senator Fine moved that the vote by which House Bill No. 295 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Cain moved that further consideration of House Bill No. 281 be indefinitely postponed.

Which motion prevailed.

Senator Fine asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Fine moved that House Bill No. 258 be re-referred to the Committee on Banks and Banking.

Which motion prevailed.

Senator Ettestad moved that House Bill No. 267 be amended as follows:

Strike out the words "town, village, or" wherever they appear in the printed bill.

Which motion prevailed.

Senator Stucke moved that House Bill No. 267 be amended as follows:

In line 4, page 1, lines 20 and 31, page, 2, strike out the word "five" and insert in lieu thereof the word "three."

In line 22, page 2, strike out the word "four" and insert the word "two."

In line 24, page 2, strike out the word "three" and insert the word "one," and after the semi-colon, strike out everything including the comma in line 28."

Which motion prevailed.

Senator Fine moved that the rules be suspended and that House Bill No. 267, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 267. A Bill for an Act to Authorize, Upon the Option of the Voters, the Creation of a Light and Power Users Commission in Any Organized Town, Village, or City in the State of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 24; nays, 22; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	McDonald
Dubay	Jones	Owings
Erickson	Kamrath	Peterson

Messrs.	Messrs.	Messrs.
Ettestad	Kolpin	Thatcher
Fine	Lemke	Topp
Fredrickson	Lind	Trout
Greene, Cavalier	Marshall	Vinje
Handley	Matthaei	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Kroeber	Nelson, Grand Fks.
Brostuen	Lowe	Strehlow
Cain	Lynn	Stucke
Coffey	McGillie	Trovatten
Crandall	Miklethun	Watt
Eastgate	Mutchler	Whelan
Fowler	Nelson, Barnes	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Drew	Greene, Stutsman	Thorson

So the bill was lost.

Senator Bonzer moved that House Bill No. 181 be laid over one legislative day.

Which motion prevailed.

Senator Bonzer asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Ettestad moved that the vote by which House Bill No. 116 was lost, be reconsidered.

Which motion prevailed.

Senator Bonzer moved that House Bill No. 116 be placed at the head of the calendar.

Which motion prevailed.

House Bill No. 116. A Bill for an Act to Amend and Re-enact Section 9807 of the Compiled Laws of North Dakota 1913; Defining Riot.

Was read the second time.

ROLL CALL

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.
Bonzer	Jones	Miklethun
Braaten	Kamrath	Owings

Messrs.	Messrs.	Messrs.
Brostuen	Kolpin	Peterson
Dubay	Kroeber	Stucke
Erickson	Lemke	Thatcher
Fine	Lind	Trout
Greene, Cavalier	Marshall	Vinje
Handley	Matthaei	Wog
Johnson	McDonald	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Fredrickson	Nelson, Grand Fks.
Coffey	Gronvold	Strehlow
Crandall	Lowe	Topp
Drew	Lynn	Trovatten
Eastgate	McGillic	Watt
Ettestad	Mutchler	Whelan
Fowler	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.
Greene, Stutsman	Thorson

So the bill passed and the title was agreed to.

Senator Bonzer moved that the vote by which House Bill No. 116 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 5. A Bill for an Act to Amend and Re-enact Section 2 and to Repeal Sections 3 and 4, Chapter 138, Session Laws of North Dakota for the Year 1929.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan

Messrs.	Messrs.	Messrs.
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.
Greene, Stutsman	Thorson

So the bill passed and the title was agreed to, and the emergency clause declared carried.

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 6548a11 and 6548a12 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Exchange of Reciprocal or Inter-Insurance Contracts; Providing for Appointment of Resident Agents; License Fees and Tax; Publication of Abstract of Annual Statement; Providing for Applicability of General Insurance Laws. Repeal.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 38; nays, 7; absent and ontvoting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Handley	Mutchler
Brostuen	Johnson	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Lemke	Stucke
Dubay	Lind	Thatcher
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Whelan
Fowler	McDonald	Wog
Fredrickson	McGillic	Young
Greene, Cavalier		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kroeber	Nelson, Grand Fks.
Drew	Miklethun	Vinje
Gronvold	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Greene, Stutsman	Thorson	Watt
Jones		

So the bill passed and the title was agreed to.

House Bill No. 170. A Bill for an Act to Amend and Re-enact Section 6625 of the Compiled Laws of 1913, With regard to a Standard Fire Insurance Policy.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Brostuen	Johnson	Mutchler
Cain	Jones	Nelson, Barnes
Coffey	Kamrath	Nelson, Grand Fks.
Crandall	Kolpin	Owings
Drew	Kroeber	Peterson
Dubay	Lemke	Strehlow
Eastgate	Lind	Thatcher
Erickson	Lowe	Topp
Ettestad	Lynn	Trout
Fowler	Marshall	Trovatten
Fredrickson	Matthaei	Vinje
Greene, Cavalier	McDonald	Whelan
Gronvold	McGillic	Wog
Handley	Miklethun	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Braaten	Watt

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fine	Stucke	Thorson
Greene, Stutsman		

So the bill passed and the title was agreed to.

HOUSE CONCURRENT RESOLUTION A-19

Senator Cain moved that House Concurrent Resolution A-19 be referred to a Standing Committee without reading.

Which motion prevailed.

House Concurrent Resolution A-19 was referred to the Committee on State Affairs.

House Bill No. 263. A Bill for an Act Amending and Re-enacting Section 2 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Acts Amendatory Thereof; Section 3C, Section 3G and Section 3G (1) of Chapter 260 of the Session Laws of North Dakota for the Year 1929; Sub-section B, Sub-section D and Sub-section I of Section 4 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 as Amended by Chapter 314 of

the Session Laws of North Dakota for the Year 1931; Section 10-1 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Acts Amendatory Thereof; Section 13 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, All Constituting Parts of the Workmen's Compensation Act of the State of North Dakota and Further Making it Illegal to Employ Workers Not Protected by Workmen's Compensation Insurance and Giving the Workmen's Compensation Bureau Power to Enjoin Such Unlawful Employments.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Kamrath	Nelson, Grand Fks.
Braaten	Kolpin	Owings
Brostuen	Kroeber	Peterson
Cain	Lemke	Strehlow
Crandall	Lind	Stucke
Dubay	Lowe	Thatcher
Eastgate	Lynn	Topp
Ettestad	Marshall	Trovatten
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Handley	Miklethun	Young
Johnson	Mutchler	
Jones	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Coffey	Fine	Thorson
Drew	Greene, Stutsman	Trout
Erickson	Gronvold	Wog

So the bill passed and the title was agreed to.

House Bill No. 362. A Bill for an Act to Amend Section 25, Chapter 97 of the Session Laws of North Dakota for 1933, Relating to Relief for the Poor, Prescribing the Establishment of a County Welfare Board by the Board of County Commissioners.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 34; nays, 13; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Mutchler
Braaten	Jones	Nelson, Barnes
Brostuen	Kamrath	Nelson, Grand Fks.
Cain	Kolpin	Owings
Drew	Kroeber	Peterson
Dubay	Lemke	Stucke
Ettestad	Lind	Trout
Fine	Lynn	Watt
Fowler	Marshall	Whelan
Fredrickson	Matthaei	Wog
Gronvold	McDonald	
Handley	Miklethun	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Coffey	Lowe	Trovatten
Crandall	McGillic	Vinje
Eastgate	Strehlow	Young
Erickson	Thatcher	
Greene, Cavalier	Topp	

Absent and not voting:

Messrs.	Messrs.
Greene, Stutsman	Thorson

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Ettestad asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Ettestad moved that the vote by which House Bill No. 220 was passed be reconsidered.

Which motion prevailed.

Senator Ettestad moved that House Bill No. 220 be laid over one legislative day.

Which motion prevailed.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

Mrs. Anna Corben, Mrs. Joe Burtt, Livona; Mrs. Ruth Rossing, Mrs. Gertrude MacKenzie, Mr. A. L. Pfeiffer, New Rockford; A. W. McColl, Earl Van Alstine, Cartwright; Andrew Johnston, Watford City; Fred Hoerauf, Grassy Butte.

Senator Eastgate moved that the Senate recess until 10:00 o'clock A. M.

Which motion prevailed.

F. E. TUNELL,
Secretary.

FIFTY-SIXTH DAY AFTER RECESS AND THE
FIFTY-SEVENTH DAY

Senate Chamber,
Bismarck, North Dakota,
March 5, 1935.

The Senate convened at 10:00 o'clock A. M., President pro tem. Marshall presiding.

SECOND READING OF HOUSE BILLS

House Bill No. 338. A Bill for an Act Creating a State Board of Public Welfare, Defining its Powers and Duties; Permitting Appointment of Executive Director; Hold Office at Pleasure of Board; Establishing the State Welfare Fund; Making an Appropriation Therefor; Repealing All Acts and Parts of Acts in Conflict With the Provisions of This Act, and Declaring an Emergency.

Was read the second time.

Senator Strehlow moved that action on House Bill No. 338 be deferred for a short while.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

House Bill No. 81.

Also,

House Bill No. 133.

Also,

House Bill No. 154.

Also,

House Bill No. 156.

Also,

House Bill No. 182.

Also,

House Bill No. 259.

Also,

House Bill No. 265.

Also,

House Bill No. 289.

Also,

House Bill No. 359.

Also,

House Bill No. 365.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the conference committee on:

House Bill No. 61.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to inform you that the Speaker has appointed as a conference committee to act with a like committee from the Senate, on Senate Bill No. 19, Representatives Scholl, Dahl of Emmons and Black.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to inform you that the

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House has adopted the report of the conference committee on House Bill No. 93.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 183.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 132. A Bill for an Act Making a Special Appropriation to Cover Deficits in the Clerk Hire, Printing, Postage and Office Supplies Funds for the Maintenance and Operation of the Workmen's Compensation Bureau.

Also,

House Bill No. 161. A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled Laws, as Amended by Chapter 247 of the Session Laws of 1933, and Declaring an Emergency.

Also,

House Bill No. 168. A Bill for an Act to Require the Appraising of the Use of Butter Substitutes on Popcorn Sold or Offered for Sale and Providing Penalties for Violation.

Also,

House Bill No. 174. A Bill for an Act to Amend and Re-enact Sections 9, 11 and 36 of Chapter 179 of the Session Laws of North Dakota for the Year 1927 as Amended by Sections 4, 5 and 12 of Chapter 160 of the Session Laws of North Dakota of 1933; Having to Do With the Applications for Registration of Motor Vehicles, Duties of Registrar, Registration Cards and Certificate of Application for License Made.

Also,

House Bill No. 202. A Bill for an Act Amending and Re-enacting Chapter 94, Session Laws of the State of North Dakota for the Year 1933.

Also,

House Bill No. 206. A Bill for an Act Fixing the Maximum Annual Salary Which May Be Paid the Assistant Dairy Commissioners, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 243. A Bill for an Act Permitting Deduction of Delinquent Personal Property Taxes From Claims, Demands, Salaries and Wages Due From County Officers and Others; Prescribing Duties of County Auditor in Connection Therewith; Giving Such Deduction Priority Over Any Sale, Transfer or Assignment of Such Claim, Demand, Salary and Wage; Repealing Section 4227 of the Compiled Laws of North Dakota 1913 and All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 250. A Bill for an Act Validating Certain County Warrants for Poor Relief Issued Under and by Virtue of Section 4, Chapter 98 of Session Laws of North Dakota for 1933, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 179. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 235 of the 1933 Session Laws Prescribing and Limiting the Time to Which Basic Text Books May Be Changed in the Schools and Educational Institutions in This State.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 25. 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.

Also,

House Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

Also,

House Bill No. 64. A Bill for an Act to Amend and Re-enact Section 35 of Chapter 148 of the 1931 Session Laws,

Relating to the Bag and Possession Limits on Protected Game Birds and Prescribing a Penalty for the Violation Hereof.

Also,

House Bill No. 97. A Bill for an Act to Amend and Re-enact Chapter 19 of the Political Code of the Compiled Laws of North Dakota for the Year 1913, Relating to the North Dakota Firemen's Association and Providing an Appropriation for the Use of Such Association in Promoting Regional Fire Schools, and Other Activities of Such Association.

Also,

HOUSE CONCURRENT RESOLUTION No. A-12

Also,

House Bill No. 13. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary and Miscellaneous General Expenses of the Department of Minimum Wage.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 186. A Bill for an Act Transferring \$78,293.94 From Certain Fund in Office of State Treasurer, Derived From the United States, to the State Equalization Fund, Appropriating the Same for School Purposes, and Providing That Funds Derived in the Future From Same Source Shall Be Placed in the State Equalization Fund and Used for School Purposes, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

Senate Bill No. 230. A Bill for an Act to Amend and Re-enact Section 7745 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Notice to Be Given Upon Sale of Real Property Under Execution; Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 244. A Bill for an Act to Permit Fidelity and Surety Companies to Act as Sureties Upon Civil or Criminal Undertakings for Bail.

Also,

Senate Bill No. 132. A Bill for an Act Defining Banking Institutions Within the Meaning of This Act; Authorizing Such Banking Institutions to Enter Into Such Contracts, Incur Such Obligations and Generally to do Such Acts as May Be Appropriate or Necessary to Take Advantage of Any and all Memberships, Loans, Subscriptions, Contracts, Grants, Rights or Privileges, Including the Right to Receive and Hold United States Postal Savings Deposits, Which May, at any Time, Be Available or Enure to Said Banking Institutions or Their Depositors, Stockholders, Conservators, Liquidators or Receivers, Under or by Virtue of Any Act, Regulation or Resolution of the Congress of the United States or Any Department, Board, Agency or Officer Thereof; to Aid, Regulate, Foster, Promote or Safeguard Banking Institutions and Depositors, Including the Act Creating the Federal Deposit Insurance Corporation and Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which Said Banking Institutions, Their Stockholders, Depositors, Conservators, Liquidators or Receivers May Take Advantage of, Comply With and Act Upon the Rights and Privileges Hereby Granted to Them, and Declaring an Emergency.

Also,

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Subdivision (c) of Section 25 of Chapter 186, Session Laws of 1931, as Amended by Chapter 160 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles and Declaring an Emergency.

Also,

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith and Making the Same an Emergency Measure.

Also,

Senate Bill No. 295. A Bill for an Act to Permit Boards of County Commissioners to Set Aside and Transfer for Park and Recreational Purposes Lands Acquired by the County Through Tax Deeds, and Declaring an Emergency.

Also,

Senate Bill No. 15. 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.

Also,

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance and a New Building for the State Hospital for the Insane at Jamestown, North

Dakota, and for the Construction and Equipment of a New Building at Said Hospital; Permitting the Use of Labor of Inmates in the Construction and Equipment of Such New Building; Imposing Certain Duties on the Board of Administration in Connection Therewith; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 246. A Bill for an Act to Provide for the Use of Alternate Jurors in Criminal Cases, and to Regulate the Practice of the Courts in Regard Thereto.

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 174. A Bill for an Act Providing for Uniform Title to Papers and Proceedings in Probate Court Practice, and for Form of Citation.

Also,

Senate Bill No. 75. A Bill for an Act to Provide for Liens in Favor of Hospitals and Other Charitable Institutions Furnishing Care, Treatment and Maintenance of Persons Injured in Accidents, not Subject to the Provisions of the Workmen's Compensation Act of North Dakota, for the Reasonable Value of the Service so Rendered, Upon the Rights of Action, Claims or Demands of Such Injured Persons, or Judgment Recovered Thereon, Against Other Persons, or Corporations, liable in Tort for Damages, on Account of Negligence Causing the Injuries, and Upon the Proceeds of the Settlements of Any Such Claims or Demands; and Upon and Against the Insurers of Such Tort Feasor or Tort Feasors; and Upon Insurance Held by the Injured Person, and Providing for Constructive Notice Upon Such Insurers, Tort Feasors and their Insurers, if any, by a Filing of a Lien Statement with the Clerk of the District Court of the County in Which Such Services Are Rendered.

Also,

Senate Bill No. 245. A Bill for an Act to Fix the Venue of Crimes Committed in or Against Aircraft in Flight, and Upon Trains or Other Vehicles.

Also,

Senate Bill No. 261. A Bill for an Act Transferring a Sum of Fifty Thousand Dollars from the General Fund to the

"Returned Soldiers Fund" Heretofore Transferred from the Returned Soldiers Fund to the General Fund Under the Provisions of Chapter 82 of the Session Laws of 1931, and Declaring an Emergency.

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to return herewith the following:

SENATE CONCURRENT RESOLUTION "A-i"

Also,

SENATE CONCURRENT RESOLUTION "W"

Also,

SENATE CONCURRENT RESOLUTION "A-h"

Also,

SENATE CONCURRENT RESOLUTION "X"

Which the House has adopted unchanged.

Also return:

Senate Bill No. 160. A Bill for an Act to Amend and Re-enact Chapter 272 of the Session Laws of 1931, Authorizing the Board of Administration, with the Approval and Consent of the Governor, to Transfer the License of the Radio Station Located at the State University of North Dakota at Grand Forks, North Dakota.

Also,

Senate Bill No. 165. A Bill for an Act to Amend and Re-enact Section 3263 of the Compiled Laws of North Dakota for 1913, Relating to Re-districting Counties Into Commissioner Districts, Petition of Voters and Election Therefor, Question—How Submitted to Voters, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 307. A Bill for an Act Prohibiting Packers from Purchasing or Acquiring Livestock for the Purpose of Feeding and Fattening the Same, and Regulating the Business of Packers Within the State of North Dakota.

Also,

Senate Bill No. 226. A Bill for an Act to Amend and Re-

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enact Sections 8320a13, 8320a14, 8320a19, 8320a20 and 8320a22 of the Supplement to the Compiled Laws of 1913, Relating to Flood Irrigation Projects, and Declaring an Emergency.

Which the House has indefinitely postponed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

The President pro tem. called Senator Owings to the chair to preside.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 5, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 3. A Bill for an Act to Amend and Re-enact Section 6072 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 6077 of the 1913 Compiled Laws of the State of North Dakota Relating to the Rate of Interest on Judgments.

Also,

House Bill No. 116. A Bill for an Act to Amend and Re-enact Section 9807 of the Compiled Laws of North Dakota 1913; Defining Riot.

Also,

House Bill No. 176. A Bill for an Act Authorizing the Board of County Commissioners to Provide Room or Rooms in the Courthouse for the Exclusive Use of ex-Service Men Who Served in Any War in Which the United States Has Been Engaged.

Also,

House Bill No. 204. A Bill for an Act to Repeal Section 10185b of the Supplement to the 1913 Compiled Laws of North Dakota Relating to Prohibiting Smoking in Specified Places, and the Penalties, and Declaring an Emergency.

Also,

House Bill No. 236. A Bill for an Act to Amend and Re-enact Section 409 of the Compiled Laws of North Dakota for 1913 as Amended by Chapter 105 of the Session Laws of North Dakota for 1929, Relating to Compensation

of President, Vice President of the Board of Health and County Superintendent of Health, Mileage and Expenses, and Repealing All Acts in Conflict Therewith.

Also,

House Bill No. 287. A Bill for an Act Creating and Establishing a Lien in Connection With the Planting, Cultivation and Harvesting of Sugar Beets, to Be Known as Sugar Beet Crop Production Lien, Providing the Manner in Which Such Lien Shall Be Perfected, the Priority Thereof, Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 292. A Bill for an Act Authorizing and Empowering Cities and Villages to Issue Bonds for the Purpose of Purchasing Outstanding Special Improvement Warrants, and Declaring an Emergency.

Also,

House Bill No. 330. A Bill for an Act to Provide for the Creation of County Parks and for the Organization of a Board of County Park Commissioners and for the Regulation and Control of Said County Parks and Lands Adjacent Thereto.

Also,

House Bill No. 353. A Bill for an Act to Amend and Re-enact Section 3080a4 of the Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Labeling of Gasoline and Kerosene.

Also,

House Bill No. 362. A Bill for an Act to Amend Section 25, Chapter 97 of the Session Laws of North Dakota for 1933, Relating to Relief for the Poor, Prescribing the Establishment of a County Welfare Board by the Board of County Commissioners.

Also,

HOUSE CONCURRENT RESOLUTION A-11

Which the Senate has passed unchanged.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 5, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 170. A Bill for an Act to Amend and Re-

enact Section 6625 of the Compiled Laws of 1913, With Regard to a Standard Fire Insurance Policy.

Which the Senate has amended in Senate Journal, March 4th, page 14, as follows:

In next to the last line, in Section 6, of the engrossed Bill, after the word "used," change the "period" to a "comma," and change the letter "T" in the word "The" from a capital letter to a small "t."

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 5, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 5. A Bill for an Act to Amend and Re-enact Section 2 and to Repeal Sections 3 and 4, Chapter 138, Session Laws of North Dakota for the Year 1929.

Which the Senate has amended in Senate Journal, March 4, as follows:

In the engrossed bill, strike out everything after the words "A Bill" and insert in lieu thereof the following:

For an Act Relating to Grain Storage on Farms, Abolishing the Office of Grain Storage Commissioner of North Dakota, and Transferring All Powers and Duties of That Office to the Board of Railroad Commissioners of the State of North Dakota, and Amending and Re-enacting Section 2 of Chapter 138 of the 1929 Session Laws, and Repealing Sections 3 and 4 of Chapter 138 of the 1929 Session Laws and All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

Section 1. AMENDMENT.) That Section 2 of Chapter 138 of the 1929 Session Laws be amended and re-enacted to read as follows, to-wit:

Section 2. BOARD OF RAILROAD COMMISSIONERS TO ACT AS GRAIN STORAGE COMMISSIONER.) The office of Grain Storage Commissioner of North Dakota as created by Chapter 138 of the 1929 Session Laws is hereby abolished, and the duties of said officer are hereby placed in the Board of Railroad Commissioners of the State of North Dakota, and whenever in said Chapter 138 of the 1929 Session Laws the name "Commissioner" is used, the same shall thereafter refer to the Board of Railroad Commissioners of the State of North Dakota, and it is hereby made the duty of the Grain Storage Commissioner of North Dakota to deliver and transfer to said Board of Railroad Commissioners all papers, documents and files and all office equipment belonging to his said office.

Section 2. REPEAL.) That Sections 3 and 4 of Chapter 138 of the 1929 Session Laws, and all Acts or parts of Acts in conflict herewith are hereby repealed.

Section 3. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in force and effect from and after its passage and approval.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 5, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 38. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Which the Senate has amended as follows:

Senate Journal March 2, page 4.

In line 3, of the engrossed Bill, strike out the figures "12,000.00," and insert in lieu thereof the figures "16,000.00."

In line 9, of the engrossed Bill, strike out the figures "\$1,250.00" and insert in lieu thereof the figures "\$2,250.00."

Senate Journal, March 4, page 44.

Strike out the "period" at the end of the Title and insert in lieu thereof a "comma" and the following language: "And declaring an emergency."

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 5, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 311. A Bill for an Act to Amend and Re-enact Section 470 of the Compiled Laws of the State of North Dakota for 1913 Being Section 13 of Chapter 189 Session Laws of 1911 Relating to Penalties for Violation of the Laws Concerning the Practice of Medicine and Surgery.

Which the Senate has amended as follows:

Senate Journal, March 4th, page 82.

TUESDAY, MARCH 5, 1935

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In line 3 of the printed Bill, strike out the letter "a" after the figure "470."

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 5, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 295. A Bill for an Act Prohibiting Real Estate and Chattel Mortgages Given to Secure the Purchase or Contract Price of Personal or Real Property from Including or Creating a Lien on Any Real or Personal Property Other Than the Property Purchased for Which Said Mortgage is Given to Secure; Invalidating Real and Chattel Mortgages Given in Violation of This Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the Senate has amended as follows:

Senate Journal, March 4, page 11.

On page 1, Section 2, line 1 of the printed Bill, after the word "mortgages" insert the word "hereafter."

Senate Journal, March 4, page 86.

Strike out Section 5.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 5, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 278. A Bill for an Act Authorizing the State of North Dakota to Manufacture, at its Own Cost, for its Own Use, the Hoiland Economy Road Planer, and Pay the Patentee, Albert Hoiland, the sum of \$5.00 for Each Planer so Manufactured and Used.

Amended, Senate Journal March 1, page 17.

Also,

House Bill No. 67. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerk-hire, Postage and Travel Expense of the Office of Department of Agriculture and Labor.

Which the Senate has amended, Senate Journal, March 2, page 37.

Also,

House Bill No. 263. A Bill for an Act Amending and Re-enacting Section 2 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Acts Amendatory Thereof; Section 3C, Section 3G and Section 3G (1) of Chapter 260 of the Session Laws of North Dakota for the Year 1929; Sub-section B, Sub-section D and Sub-section I of Section 4 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 as Amended by Chapter 314 of the Session Laws of North Dakota for the Year 1931; Section 10-1 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Acts Amendatory Thereof; Section 13 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, All Constituting Parts of the Workmen's Compensation Act of the State of North Dakota and Further Making it Illegal to Employ Workers Not Protected by Workmen's Compensation Insurance and Giving the Workmen's Compensation Bureau Power to Enjoin Such Unlawful Employments.

Amended Senate Journal, March 4, page 24.

Also,

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 6548a11 and 6548a12 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Exchange of Reciprocal or Inter-Insurance Contracts; Providing for Appointment of Resident Agents; License Fees and Tax; Publication of Abstract of Annual Statement; Providing for Applicability of General Insurance Laws. Repeal.

Amended Senate Journal, March 4, page 14.

Also,

HOUSE CONCURRENT RESOLUTION "A-4"

Amended Senate Journal, February 20, page 29.

Very respectfully,

F. E. TUNELL,
Secretary.

President pro tem. Marshall resumed the chair.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 132. A Bill for an Act Making a Special Appropriation to Cover Deficits in the Clerk Hire, Printing, Postage and Office Supplies Funds for the Maintenance and Operation of the Workmen's Compensation Bureau.

Also,

House Bill No. 161. A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled

Laws, as Amended by Chapter 247 of the Session Laws of 1933, and Declaring an Emergency.

Also,

House Bill No. 168. A Bill for an Act to Require the Appraising of the Use of Butter Substitutes on Popcorn Sold or Offered for Sale and Providing Penalties for Violation.

Also,

House Bill No. 174. A Bill for an Act to Amend and Re-enact Sections 9, 11 and 36 of Chapter 179 of the Session Laws of North Dakota for the Year 1927 as Amended by Sections 4, 5 and 12 of Chapter 160 of the Session Laws of North Dakota of 1933; Having to Do With the Applications for Registration of Motor Vehicles, Duties of Registrar, Registration Cards and Certificate of Application for License Made.

Also,

House Bill No. 202. A Bill for an Act Amending and Re-enacting Chapter 94, Session Laws of the State of North Dakota for the Year 1933.

Also,

House Bill No. 206. A Bill for an Act Fixing the Maximum Annual Salary Which May Be Paid the Assistant Dairy Commissioners, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 243. A Bill for an Act Permitting Deduction of Delinquent Personal Property Taxes From Claims, Demands, Salaries and Wages Due From County Officers and Others; Prescribing Duties of County Auditor in Connection Therewith; Giving Such Deduction Priority Over Any Sale, Transfer or Assignment of Such Claim, Demand, Salary and Wage; Repealing Section 4227 of the Compiled Laws of North Dakota 1913 and All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 250. A Bill for an Act Validating Certain County Warrants for Poor Relief Issued Under and by Virtue of Section 4, Chapter 98 of Session Laws of North Dakota for 1933, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 179. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 235 of the 1933 Session Laws Prescribing and Limiting the Time to Which Basic Text Books May Be Changed in the Schools and Educational Institutions in This State.

Also,

House Bill No. 13. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary and Miscellaneous General Expenses of the Department of Minimum Wage.

Also,

House Bill No. 97. A Bill for an Act to Amend and Re-enact Chapter 19 of the Political Code of the Compiled Laws of North Dakota for the Year 1913, Relating to the North Dakota Firemen's Association and Providing an Appropriation for the Use of Such Association in Promoting Regional Fire Schools, and Other Activities of Such Association.

Also,

House Bill No. 64. A Bill for an Act to Amend and Re-enact Section 35 of Chapter 148 of the 1931 Session Laws, Relating to the Bag and Possession Limits on Protected Game Birds and Prescribing a Penalty for the Violation Hereof.

Also,

House Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

Also,

House Bill No. 25. 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.

Also,

HOUSE CONCURRENT RESOLUTION "A-12"

Also,

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Chapter 163 of the Session Laws of 1933, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles, That May Be Driven and Moved Upon the Highways of the State of North Dakota, and Prescribing Penalty for Violation Thereof.

Also,

Senate Bill No. 131. A Bill for an Act Authorizing and Empowering the Governor to Accept a Conveyance in Trust of the Lands Comprising the International Peace Garden to the State of North Dakota; Setting Forth the Terms and Conditions of the Trust; Vesting the Custody, Control, Possession, Supervision, Management and Operation of Such Lands in the Board of Directors of the International Peace Garden, Inc.; Vesting in the State Historical Society General Supervision of Such Lands, and Expressly Empowering the State Historical Society to Co-operate in the Establishment, Promotion and Development of the International Peace Garden for the Purpose of Furthering International Peace Among the Nations of the World; Providing for the

Duration of Such Trust, and Repealing All Acts, or Parts of Acts, in Conflict Herewith, and Declaring That an Emergency Exists for the Immediate Enactment of This Act.

Also,

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 7731, Supplement to the Compiled Laws of 1913, Relating to Exemptions of Personal Property from Attachment, Levy and Sale on Execution, and Defining "Head of Family" as Defined by Section 5626 of the Compiled Laws of 1913, and Exemptions of a Single Person, and Declaring an Emergency.

Also,

Senate Bill No. 218. A Bill for an Act Providing That the State and the Several Counties of the State Are Authorized to Acquire by Purchase, Exchange, Gift, Condemnation or Otherwise the Title to Any Land Within the Same Political Subdivision for the Purpose of Establishing Any Public Park or Recreational Area, or for the Purpose of Constructing, Maintaining and Operating Any Water and/or Wildlife Conservation Project; Providing That All Lands to Be Purchased or Exchanged Under Authority of This Act Shall Be Appraised by the Existing Appraisal Agencies of the Parties to the Contract; Providing That Where No Such Appraisal Agency Exists the County Board of Commissioners Shall Determine the Value Thereof, and Providing That No Land Shall Be Purchased for More Than the Appraised Value, nor Shall Any Lands Owned by the State or the Several Counties Be Exchanged Except for Lands of an Equal Appraised Value; Providing That the State of North Dakota Shall Reserve All Mineral Rights to All State Lands Transferred Under Authority of This Act; Providing a Saving Clause; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 241. A Bill for an Act to Provide for the Conditional Examination of Witnesses Held to Appear Before a Grand Jury or Court When Such Witnesses Are Unable to Give the Security Required by the Court.

Also,

Senate Bill No. 277. A Bill for an Act Authorizing the Board of Administration to Construct, Either Independently or Jointly With the City of Grafton, a Sewage Disposal Plant for the Grafton State School and Making an Appropriation Therefor.

Also,

Senate Bill No. 133. A Bill for an Act Authorizing Banking Institutions to Issue and Sell Capital Notes or Debentures and Preferred Stock; Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and

Restrictions Under and Upon Which the Same May Be Issued and Sold, and Declaring an Emergency.

Also,

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931, Relating to Capital Stock of Banks.

Also,

Senate Bill No. 137. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 89 of the Session Laws of the State of North Dakota for the Year 1933, Relating to Prohibition Against Corporation Farming, and Declaring an Emergency.

Also,

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Subsection 2 of Section 2 and Section 5 of Chapter 179 of the Session Laws of North Dakota, 1933, Authorizing the Execution of a Mortgage or a Deed of Trust to Secure Mortgage Bonds and Making Such Bonds Negotiable.

Also,

Senate Bill No. 209. A Bill for an Act to Amend Section 17 of Chapter 196, Session Laws of North Dakota for the Year 1927, Authorizing the Private Sale of Bonds to the United States of America or Any Agency or Instrumentality Thereof Without Public Advertisement.

Also,

Senate Bill No. 219. A Bill for an Act Providing That No Fee Shall Be Charged or Collected for the Recording or Filing of Any Document Required by the United States or the State of North Dakota for Any Water and/or Wild-life Conservation Project; Repealing All Acts or Parts of Acts in Conflict Herewith, Declaring an Emergency.

Also,

Senate Bill No. 221. A Bill for an Act to Amend and Re-enact Section 3583 of the Compiled Laws of North Dakota for 1913, as Amended by Section 2 of Chapter 167 of the Session Laws of the State of North Dakota for 1933, Relating to Terms of Office of Aldermen, and Declaring an Emergency.

Also,

Senate Bill No. 239. A Bill for an Act Authorizing Any Board or Officer Having the Control or Management of Any Real State Belonging to or Controlled by the State of North Dakota or Any of Its Political Subdivisions to Enter Into Agreements with the United States of America for the Improvement of Said Real Estate by the Establishment and

Maintenance of Shelterbelts of Trees and Other Plants and Necessary Protective Structures and Works Thereon, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 242. A Bill for an Act to Amend and Re-enact Section 11119, Compiled Laws of 1913, and to Permit the Deposit of Money or Bonds as Bail in Criminal Cases

Also,

Senate Bill No. 249. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend the Present Sewerage System of the State Penitentiary to Connect With the City of Bismarck System of Sewerage, Providing for the Use of Prison Labor, or to Make Provision for its Construction by Governmental Agency; Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 283. A Bill for an Act to Amend and Re-enact Section 9606a1 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Declaring it Unlawful to Place Certain Children in Almshouses or Other Institutions Without the Consent of the Board of Administration, With Certain Exceptions, Prohibiting Placing of Certain Children in the State Training School, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 286. A Bill for an Act Validating Payments Heretofore Made by the State or Municipalities for Payments of Workmen's Compensation Insurance; Authorizing Municipalities to Pay Such Premiums With Any Moneys Except Special Levies and to Draw Special Warrants for Premiums Where Funds Are Unavailable and Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 297. A Bill for an Act Providing for the Cancellation of Record of Certain Chattel Mortgages and Certain Written Agreements Relating to Personal Property, by the Register of Deeds, for Cancelling Certain Bills of Sale, Requiring Assignments of Chattel Mortgages to Be Filed Before the Filing of Affidavit of Renewal or Satisfaction, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 326. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 172, of the Session Laws of 1929, Which Authorizes and Empowers Cities, Towns or Villages to Purchase, Erect, Operate and Maintain or Lease Electric Light and Power Plant, Electric Distribution Sys-

tem and Transmission Line, Telephone Plant or Parts of Systems or Lines or Waterworks, Mains, Distribution System and/or Equipment or Appliances Connected Therewith as Provided in the Act, and Declaring an Emergency.

SENATE CONCURRENT RESOLUTION "A-d"

Also,

SENATE CONCURRENT RESOLUTION "A-b"

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 5, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 132. A Bill for an Act Making a Special Appropriation to Cover Deficits in the Clerk Hire, Printing, Postage and Office Supplies Funds for the Maintenance and Operation of the Workmen's Compensation Bureau.

Also,

House Bill No. 161. A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled Laws, as Amended by Chapter 247 of the Session Laws of 1933, and Declaring an Emergency.

Also,

House Bill No. 168. A Bill for an Act to Require the Appraising of the Use of Butter Substitutes on Popcorn Sold or Offered for Sale and Providing Penalties for Violation.

Also,

House Bill No. 174. A Bill for an Act to Amend and Re-enact Sections 9, 11 and 36 of Chapter 179 of the Session Laws of North Dakota for the Year 1927 as Amended by Sections 4, 5 and 12 of Chapter 160 of the Session Laws of North Dakota of 1933; Having to Do With the Applications for Registration of Motor Vehicles, Duties of Registrar, Registration Cards and Certificate of Application for License Made.

Also,

House Bill No. 202. A Bill for an Act Amending and Re-enacting Chapter 94, Session Laws of the State of North Dakota for the Year 1933.

Also,

House Bill No. 206. A Bill for an Act Fixing the Maximum Annual Salary Which May Be Paid the Assistant Dairy Commissioners, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 243. A Bill for an Act Permitting Deduction of Delinquent Personal Property Taxes From Claims, Demands, Salaries and Wages Due From County Officers and Others; Prescribing Duties of County Auditor in Connection Therewith; Giving Such Deduction Priority Over Any Sale, Transfer or Assignment of Such Claim, Demand, Salary and Wage; Repealing Section 4227 of the Compiled Laws of North Dakota 1913 and All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 250. A Bill for an Act Validating Certain County Warrants for Poor Relief Issued Under and by Virtue of Section 4, Chapter 98 of Session Laws of North Dakota for 1933, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 179. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 235 of the 1933 Session Laws Prescribing and Limiting the Time to Which Basic Text Books May Be Changed in the Schools and Educational Institutions in This State.

Also,

House Bill No. 13. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary and Miscellaneous General Expenses of the Department of Minimum Wage.

Also,

House Bill No. 97. A Bill for an Act to Amend and Re-enact Chapter 19 of the Political Code of the Compiled Laws of North Dakota for the Year 1913, Relating to the North Dakota Firemen's Association and Providing an Appropriation for the Use of Such Association in Promoting Regional Fire Schools, and Other Activities of Such Association.

Also,

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Also,

House Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

Also,

House Bill No. 25. 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 CONCURRENT RESOLUTION "A-12"

Which the President has signed.

Also transmit:

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Chapter 163 of the Session Laws of 1933, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles, That May Be Driven and Moved Upon the Highways of the State of North Dakota, and Prescribing Penalty for Violation Thereof.

Also,

Senate Bill No. 131. A Bill for an Act Authorizing and Empowering the Governor to Accept a Conveyance in Trust of the Lands Comprising the International Peace Garden to the State of North Dakota; Setting Forth the Terms and Conditions of the Trust; Vesting the Custody, Control, Possession, Supervision, Management and Operation of Such Lands in the Board of Directors of the International Peace Garden, Inc.; Vesting in the State Historical Society General Supervision of Such Lands, and Expressly Empowering the State Historical Society to Co-operate in the Establishment, Promotion and Development of the International Peace Garden for the Purpose of Furthering International Peace Among the Nations of the World; Providing for the Duration of Such Trust, and Repealing All Acts, or Parts of Acts, in Conflict Herewith, and Declaring That an Emergency Exists for the Immediate Enactment of This Act.

Also,

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 7731, Supplement to the Compiled Laws of 1913, Relating to Exemptions of Personal Property from Attachment, Levy and Sale on Execution, and Defining "Head of Family" as Defined by Section 5626 of the Compiled Laws of 1913, and Exemptions of a Single Person, and Declaring an Emergency.

Also,

Senate Bill No. 218. A Bill for an Act Providing That the State and the Several Counties of the State Are Authorized to Acquire by Purchase, Exchange, Gift, Condemnation or Otherwise the Title to Any Land Within the Same Political Subdivision for the Purpose of Establishing Any Public Park or Recreational Area, or for the Purpose of Constructing, Maintaining and Operating Any Water and/or Wildlife Conservation Project; Providing That All Lands to Be Purchased or Exchanged Under Authority of This Act Shall Be Appraised by the Existing Appraisal Agencies of the Parties to the Contract; Providing That Where No Such Appraisal Agency Exists the County Board of Commissioners

Shall Determine the Value Thereof, and Providing That No Land Shall Be Purchased for More Than the Appraised Value, nor Shall Any Lands Owned by the State or the Several Counties Be Exchanged Except for Lands of an Equal Appraised Value; Providing That the State of North Dakota Shall Reserve All Mineral Rights to All State Lands Transferred Under Authority of This Act; Providing a Saving Clause; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 241. A Bill for an Act to Provide for the Conditional Examination of Witnesses Held to Appear Before a Grand Jury or Court When Such Witnesses Are Unable to Give the Security Required by the Court.

Also,

Senate Bill No. 277. A Bill for an Act Authorizing the Board of Administration to Construct, Either Independently or Jointly With the City of Grafton, a Sewage Disposal Plant for the Grafton State School and Making an Appropriation Therefor.

Also,

Senate Bill No. 133. A Bill for an Act Authorizing Banking Institutions to Issue and Sell Capital Notes or Debentures and Preferred Stock; Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which the Same May Be Issued and Sold, and Declaring an Emergency.

Also,

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931, Relating to Capital Stock of Banks.

Also,

Senate Bill No. 137. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 89 of the Session Laws of the State of North Dakota for the Year 1933, Relating to Prohibition Against Corporation Farming, and Declaring an Emergency.

Also,

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Subsection 2 of Section 2 and Section 5 of Chapter 179 of the Session Laws of North Dakota, 1933, Authorizing the Execution of a Mortgage or a Deed of Trust to Secure Mortgage Bonds and Making Such Bonds Negotiable.

Also,

Senate Bill No. 209. A Bill for an Act to Amend Section 17 of Chapter 196, Session Laws of North Dakota for the

Year 1927, Authorizing the Private Sale of Bonds to the United States of America or Any Agency or Instrumentality Thereof Without Public Advertisement.

Also,

Senate Bill No. 219. A Bill for an Act Providing That No Fee Shall Be Charged or Collected for the Recording or Filing of Any Document Required by the United States or the State of North Dakota for Any Water and/or Wild-life Conservation Project; Repealing All Acts or Parts of Acts in Conflict Herewith, Declaring an Emergency.

Also,

Senate Bill No. 221. A Bill for an Act to Amend and Re-enact Section 3583 of the Compiled Laws of North Dakota for 1913, as Amended by Section 2 of Chapter 167 of the Session Laws of the State of North Dakota for 1933, Relating to Terms of Office of Aldermen, and Declaring an Emergency.

Also,

Senate Bill No. 239. A Bill for an Act Authorizing Any Board or Officer Having the Control or Management of Any Real State Belonging to or Controlled by the State of North Dakota or Any of Its Political Subdivisions to Enter Into Agreements with the United States of America for the Improvement of Said Real Estate by the Establishment and Maintenance of Shelterbelts of Trees and Other Plants and Necessary Protective Structures and Works Thereon, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 242. A Bill for an Act to Amend and Re-enact Section 11119, Compiled Laws of 1913, and to Permit the Deposit of Money or Bonds as Bail in Criminal Cases.

Also,

Senate Bill No. 249. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend the Present Sewerage System of the State Penitentiary to Connect With the City of Bismarck System of Sewerage, Providing for the Use of Prison Labor, or to Make Provision for its Construction by Governmental Agency; Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 283. A Bill for an Act to Amend and Re-enact Section 9606a1 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Declaring it Unlawful to Place Certain Children in Almshouses or Other Institutions Without the Consent of the Board of Administration, With Certain Exceptions, Prohibiting Placing of Certain Children in the State Training School, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 286. A Bill for an Act Validating Payments Heretofore Made by the State or Municipalities for Payments of Workmen's Compensation Insurance; Authorizing Municipalities to Pay Such Premiums With Any Moneys Except Special Levies and to Draw Special Warrants for Premiums Where Funds Are Unavailable and Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 297. A Bill for an Act Providing for the Cancellation of Record of Certain Chattel Mortgages and Certain Written Agreements Relating to Personal Property, by the Register of Deeds, for Cancelling Certain Bills of Sale, Requiring Assignments of Chattel Mortgages to Be Filed Before the Filing of Affidavit of Renewal or Satisfaction, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 326. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 172, of the Session Laws of 1929, Which Authorizes and Empowers Cities, Towns or Villages to Purchase, Erect, Operate and Maintain or Lease Electric Light and Power Plant, Electric Distribution System and Transmission Line, Telephone Plant or Parts of Systems or Lines or Waterworks, Mains, Distribution System and/or Equipment or Appliances Connected Therewith as Provided in the Act, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION "A-d"

Also,

SENATE CONCURRENT RESOLUTION "A-b"

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Owings moved that the Senate do now recess until 1:00 o'clock.

Which motion prevailed.

The Senate re-convened, President pro tem. Marshall presiding.

REPORT OF STANDING COMMITTEES

The Committee on Elections made the following report:

Mr. President: Your Committee on Elections to whom was referred:

House Bill No. 241. A Bill for an Act to Amend and Re-enact Section 852 of the Compiled Laws of North Dakota for 1913, as Amended by Section 1, Chapter 150 of the Session Laws of 1915; Providing for a Primary Election to Be Held on the Last Tuesday in June in Years in Which General Elections Occur; Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. E. ERICKSON,
Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections made the following report:

Mr. President: Your Committee on Elections to whom was referred:

House Bill No. 183. A Bill for an Act to Repeal Sections 924, 925, 926, and 927 of the Compiled Laws for the Year 1913, as Section 927 is Amended By Chapter 213 of the Session Laws of 1923, and as Found in Section 927a1 and 927a2, Relating to Publicity Pamphlet and the Publication and Distribution Thereof.

Have had the same under consideration and recommend that the same be indefinitely postponed.

O. E. ERICKSON,
Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections made the following report:

Mr. President: Your Committee on Elections to whom was referred:

House Bill No. 276. A Bill for an Act Relating to Special Election for Removal of County Seats in Certain Counties, and Petition Therefor, Providing for Preliminary Resolutions by the Board of County Commissioners and Publication Thereof, Notice of Election, Election—How Conducted, and County Seat Designated, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

O. E. ERICKSON,
Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Elections made the following report:

Mr. President: Your Committee on Elections to whom was referred:

House Bill No. 172. A Bill for an Act Providing for the Establishment of Voting Precincts in Special School Districts; Requiring Establishment of Polling Places for Each 5000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same do pass.

O. E. ERICKSON,
Chairman.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

HOUSE CONCURRENT RESOLUTION NO. "A-19"

A Concurrent Resolution Relative to Investigation by Legislative Committee of Agencies Set Up Through Federal Funds Allocated to F. E. R. A.

Have had the same under consideration and return the same without recommendation.

A. F. BONZER, Jr.,
Chairman.

Senator Erickson moved that House Concurrent Resolution "A-19" be placed upon the calendar.

Which motion prevailed.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 106. A Bill for An Act Providing and Permitting the Purchase of Gasoline to be Used Solely for Agricultural Purposes Without Payment of Gasoline Tax on Purchase Thereof; Licensing Purchasers and Sellers Thereof; Providing Penalty; Repeal.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1828 of the Compiled Laws of 1913 and Chapter 78 of the Laws of the State of North Dakota for the Year 1915, and Section 1828 of the 1925 Compiled Laws of North Dakota, and Chapter 241 of the Laws of the State of North Dakota for the Year 1933, Relating to the Use of Lignite Coal in State and County Institutions and Schools, and to Provide for the Use of Native Lignite Coal, Native Natural Gas, and Native Oil as Fuel in Such Institutions and Schools, and Providing a Penalty for the Violation of This Act.

Have had the same under consideration and return the same herewith without recommendation.

A. F. BONZER, Jr.,
Chairman.

Senator Thorson moved that House Bill No. 135 be placed upon the calendar.

Senator McDonald moved as a substitute motion that House Bill No. 135 be indefinitely postponed.

Which motion prevailed.

Senator McDonald moved that the vote by which House Bill No. 135 was indefinitely postponed be reconsidered, and the motion to reconsider be laid on the table.

Senate Wog demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the motion of Senator McDonald, to lay on the table the vote by which House Bill No. 135 was indefinitely postponed, the roll was called and there were ayes, 17; nays, 30; absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Brostuen	Lowe	Nelson, Grand Fks.
Crandall	Lynn	Topp
Drew	McDonald	Trovatten
Eastgate	McGillic	Vinje
Gronvold	Mutchler	Young
Kroeber	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Greene, Stutsman	Owings
Cain	Handley	Peterson
Coffey	Jones	Strehlow
Dubay	Kamrath	Stucke
Erickson	Kolpin	Thatcher

Messrs.	Messrs.	Messrs.
Ettestad	Lemke	Thorson
Fine	Lind	Trout
Fowler	Marshall	Watt
Fredrickson	Matthaei	Whelan
Greene, Cavalier	Miklethun	Wog

Absent and not voting:

Messrs.	Messrs.
Bonzer	Johnson

So the motion was lost.

The Committee on Ways and Means made the following report:

Mr. President: Your Committee on Ways and Means to whom was referred:

House Bill No. 273. A Bill for an Act to Establish a County Motor Vehicle Department Under the Supervision of the State Highway Commissioner. Designating County Auditor as Assistant Registrar of the State Motor Vehicle Registration Department. Providing for a Uniform System of Accounting and Business Procedure for Such County Motor Vehicle Departments. Giving State Highway Commissioner, Acting Directly or Through State Motor Vehicle Department, Authority to Make Necessary Rules and Regulations of the Administration of the Affairs in the County Motor Vehicle Departments. Providing How County Auditors Shall Qualify as Such Assistant Motor Vehicle Registrars, Bond and Compensation. Defining Certain Duties Imposed Upon the State Motor Vehicle Department, its Registrar, the Assistant Registrar in Each County in the State. Disposition of the Fees and Moneys Collected from the Sale of Motor Vehicle Licenses and Tags at the County Seats of the Several Counties of the State of North Dakota and Providing That All Acts or Parts of Acts in Conflict with the Provisions of This Act are Superseded by the Provisions Hereof.

Have had the same under consideration and recommend that the same be amended.

And when amended recommend the same do pass.

GUST WOG,
Chairman.

Senator Wog moved that the report be adopted.

Senator Fowler moved that further consideration of House Bill No. 273 be indefinitely postponed.

Senator Fowler demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the motion of Senator Fowler to

indefinitely postpone House Bill No. 273, 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.
Bonzer	Greene, Cavalier	McDonald
Braaten	Gronvold	Mutchler
Cain	Johnson	Nelson, Grand Fks.
Coffey	Kamrath	Peterson
Crandall	Kolpin	Thatcher
Eastgate	Kroeber	Topp
Erickson	Lemke	Trovatten
Fowler	Lowe	Watt
Fredrickson	Matthaei	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Lind	Strehlow
Drew	Lynn	Stucke
Dubay	Marshall	Thorson
Ettestad	McGillic	Trout
Fine	Miklethun	Vinje
Greene, Stutsman	Nelson, Barnes	Whelan
Handley	Owings	Wog
Jones		

So the motion prevailed and House Bill No. 273 was indefinitely postponed.

SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that

Senate Bill No. 85. A Bill for an Act Providing for Means and Method of Obtaining Service Upon a Non-resident Using the Highways of the State of North Dakota, and Providing the Time Within Which Such Defendant May Answer.

Also,

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 26, 27, 31, 32 and 33 of Chapter 164, of the Session Laws for 1933, Relating to Regulation of Motor Vehicle Transportation, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 124. A Bill for an Act Declaring Water and/or Wildlife Conservation to Be a State Purpose, Providing the Board of University and School Lands with the Authority to Grant to the United States of America, or to Any of Its Instrumentalities or Agencies, Any and All

Easement Rights as Shall Be Required for the Construction, Maintenance and Operation of Water and/or Wildlife Conservation Projects to Be Constructed on the Public Lands of the State of North Dakota, Declaring That Such Water and/or Wildlife Conservation Projects Shall Be Considered as a Benefit to Said Lands and Not to Diminish the Value or Purchase Price Thereof, Repealing Any and All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 139. A Bill for an Act Making an Appropriation to Meet a Deficiency in the Appropriation Made to the Board of Pardons for the Biennium Period Expiring June 30, 1935, and Declaring an Emergency.

Also,

Senate Bill No. 140. A Bill for an Act Making an Appropriation to the Attorney General to Repay Money Borrowed from The Bank of North Dakota to Pay Expenses Incurred for Fees and Disbursements in Certain Tax Litigations, and Declaring an Emergency.

Were delivered to the Governor for his approval at the hour of 2:15 o'clock P. M., March 2, 1935.

Also,

Senate Bill No. 128. A Bill for an Act to Promote the Objects of the Act of Congress of the United States Entitled, "National Housing Act," approved June 27, 1934, and Acts Amendatory Thereof or Supplemental Thereto, by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, and Insurance Companies, to Make Loans Pursuant to Title I and II of the National Housing Act, and by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Sub-divisions, and Institutions and Agencies Thereof, and All Other Persons, Associations and Corporations, Subject to the Laws of This State, to Invest in Mortgages Insured, and in Debentures Issued, by the Federal Housing Administrator, and to Invest in Securities of National Mortgage Associations or Similar National Mortgage Credit Institutions Now or Hereafter Organized Under Title III of the National Housing Act, and by Excepting Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Sub-divisions, and Institutions and Agencies Thereof, and All Other Persons, and Associations, Subject to the Laws of This State from the Application of Laws of This State Requiring Security Upon Which Loans or Investments May Be Made, or Limiting Making of Loans to Shareholders or Members of the Lender; or Prescribing the Nature, Amount or Form of Such Security, or Limiting or Prescribing the Interest Rates Upon Loans or Investments, or the

Period for Which Loans or Investments May Be Made, Provided Such Loans, Securities or Investments Are Insured by the Federal Housing Administrator, and Providing for Invalidity, and Declaring an Emergency to Exist.

Also,

Senate Bill No. 148. A Bill for an Act Appropriating the Sum of Twenty-eight Thousand (\$28,000.00) Dollars, or so Much Thereof as May be Required, to Reimburse the Bank of North Dakota for Certain Funds Loaned to the State Historical Society, for the Purpose of Purchasing State Park Lands, and Declaring an Emergency.

Also,

Senate Bill No. 149. A Bill for an Act to Create a State Planning Board, Prescribing the Powers and Duties Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 163. A Bill for an Act Making an Appropriation to the University of North Dakota to Meet a Deficiency in the Appropriation for the Biennium Expiring June 30, 1935, for the Public Health Laboratories; and Declaring an Emergency.

Also,

Senate Bill No. 172. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Also,

Senate Bill No. 184. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys and Girls Club Work at State and District Fairs.

Also,

Senate Bill No. 232. A Bill for an Act to Make an Appropriation to Provide for Payment of a Deficit in the Maintenance of the National Guard Fund, and Declaring an Emergency.

Also,

Senate Bill No. 220. A Bill for an Act to Suspend the Operating of Chapter 24 of the Political Code of the State of North Dakota for the Year 1913, Being Sections 1889 to 1902 Both Inclusive of Said Compiled Laws, Relating to the Enumeration of Inhabitants in the State of North Dakota; Declaring an Emergency.

Were delivered to the Governor for his approval at the hour of 3:52 o'clock P. M., March 2, 1935.

Also,

Senate Bill No. 159. A Bill for an Act to Provide for Reciprocal Fire Underwriters' Licenses.

Was delivered to the Governor for his approval at the hour of 4:55 o'clock P. M., March 4, 1935.

Also,

Senate Bill No. 133. A Bill for an Act Authorizing Banking Institutions to Issue and Sell Capital Notes or Debentures and Preferred Stock; Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which the Same May Be Issued and Sold.

Also,

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931, Relating to Capital Stock of Banks.

Also,

Senate Bill No. 137. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 89 of the Session Laws of the State of North Dakota for the Year 1933, Relating to Prohibition Against Corporation Farming, and Declaring an Emergency.

Also,

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Subsection 2 of Section 2 and Section 5 of Chapter 179 of the Session Laws of North Dakota, 1933, Authorizing the Execution of a Mortgage or a Deed of Trust to Secure Mortgage Bonds and Making Such Bonds Negotiable.

Also,

Senate Bill No. 209. A Bill for an Act to Amend and Re-enact Subdivision 6 of Section 17 of Chapter 196, Session Laws of North Dakota for the Year 1927, Authorizing the Private Sale of Bonds to the United States of America or Any Agency or Instrumentality Thereof Without Public Advertisement, and Declaring an Emergency.

Also,

Senate Bill No. 219. A Bill for an Act Providing That No Fee Shall Be Charged or Collected for the Recording or Filing of Any Document Required by the United States or the State of North Dakota for Any Water and/or Wild-life Conservation Project; Repealing All Acts or Parts of Acts in Conflict Herewith, Declaring an Emergency.

Also,

Senate Bill No. 221. A Bill for an Act to Amend and Re-enact Section 3583 of the Compiled Laws of North Dakota for 1913, as Amended by Section 2 of Chapter 167 of the

Session Laws of the State of North Dakota for 1933, Relating to Terms of Office of Aldermen, and Declaring an Emergency.

Also,

Senate Bill No. 239. A Bill for an Act Authorizing Any Board or Officer Having the Control or Management of Any Real Estate Belonging to or Controlled by the State of North Dakota or Any of Its Political Subdivisions to Enter Into Agreements with the United States of America for the Improvement of Said Real Estate by the Establishment and Maintenance of Shelterbelts of Trees and Other Plants and Necessary Protective Structures and Works Thereon, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 242. A Bill for an Act to Amend and Re-enact Section 11119, Compiled Laws of 1913, and to Permit the Deposit of Money or Bonds as Bail in Criminal Cases.

Also,

Senate Bill No. 249. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend the Present Sewerage System of the State Penitentiary to Connect With the City of Bismarck System of Sewerage, Providing for the Use of Prison Labor, or to Make Provision for its Construction by Governmental Agency; Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 283. A Bill for an Act to Amend and Re-enact Section 9606a1 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Declaring it Unlawful to Place Certain Children in Almshouses or Other Institutions Without the Consent of the Board of Administration, With Certain Exceptions, Prohibiting Placing of Certain Children in the State Training School, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 286. A Bill for an Act Validating Payments Heretofore Made by the State or Municipalities for Payments of Workmen's Compensation Insurance; Authorizing Municipalities to Pay Such Premiums With Any Moneys Except Special Levies and to Draw Special Warrants for Premiums Where Funds Are Unavailable and Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 297. A Bill for an Act Providing for the Cancellation of Record of Certain Chattel Mortgages and Certain Written Agreements Relating to Personal Property, by the Register of Deeds, for Cancelling Certain Bills of Sale,

Requiring Assignments of Chattel Mortgages to Be Filed Before the Filing of Affidavit of Renewal or Satisfaction, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 326. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 172, of the Session Laws of 1929, Which Authorizes and Empowers Cities, Towns or Villages to Purchase, Erect, Operate and Maintain or Lease Electric Light and Power Plant, Electric Distribution System and Transmission Line, Telephone Plant or Parts of Systems or Lines or Waterworks, Mains, Distribution System and/or Equipment or Appliances Connected Therewith as Provided in the Act, and Declaring an Emergency.

Also,

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Chapter 163 of the Session Laws of 1933, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles, That May Be Driven and Moved Upon the Highways of the State of North Dakota, and Prescribing Penalty for Violation Thereof.

Also,

Senate Bill No. 131. A Bill for an Act Authorizing and Empowering the Governor to Accept a Conveyance in Trust of the Lands Comprising the International Peace Garden to the State of North Dakota; Setting Forth the Terms and Conditions of the Trust; Vesting the Custody, Control, Possession, Supervision, Management and Operation of Such Lands in the Board of Directors of the International Peace Garden, Inc.; Vesting in the State Historical Society General Supervision of Such Lands, and Expressly Empowering the State Historical Society to Co-operate in the Establishment, Promotion and Development of the International Peace Garden for the Purpose of Furthering International Peace Among the Nations of the World; Providing for the Duration of Such Trust, and Repealing All Acts, or Parts of Acts, in Conflict Herewith, and Declaring That an Emergency Exists for the Immediate Enactment of This Act.

Also,

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 7731, Supplement to the Compiled Laws of 1913, Relating to Exemptions of Personal Property from Attachment, Levy and Sale on Execution, and Defining "Head of Family" as Defined by Section 5626 of the Compiled Laws of 1913, and Exemptions of a Single Person, and Declaring an Emergency.

Also,

Senate Bill No. 241. A Bill for an Act to Provide for the Conditional Examination of Witnesses Held to Appear Before a Grand Jury or Court When Such Witnesses Are Unable to Give the Security Required by the Court.

Also,

Senate Bill No. 218. A Bill for an Act Providing That the State and the Several Counties of the State Are Authorized to Acquire by Purchase, Exchange, Gift, Condemnation or Otherwise the Title to Any Land Within the Same Political Subdivision for the Purpose of Establishing Any Public Park or Recreational Area, or for the Purpose of Constructing, Maintaining and Operating Any Water and/or Wildlife Conservation Project; Providing That All Lands to Be Purchased or Exchanged Under Authority of This Act Shall Be Appraised by the Existing Appraisal Agencies of the Parties to the Contract; Providing That Where No Such Appraisal Agency Exists the County Board of Commissioners Shall Determine the Value Thereof, and Providing That No Land Shall Be Purchased for More Than the Appraised Value, nor Shall Any Lands Owned by the State or the Several Counties Be Exchanged Except for Lands of an Equal Appraised Value; Providing That the State of North Dakota Shall Reserve All Mineral Rights to All State Lands Transferred Under Authority of This Act; Providing a Saving Clause; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 277. A Bill for an Act Authorizing the Board of Administration to Construct, Either Independently of or Jointly With the City of Grafton, a Sewage Disposal Plant for the Grafton State School and Making an Appropriation Therefor.

Also,

SENATE CONCURRENT RESOLUTION A-d

A Concurrent Resolution Requesting the Federal Government to Assign Additional Civilian Conservation Corps Units to North Dakota.

Also,

SENATE CONCURRENT RESOLUTION A-b

A Concurrent Resolution Urging the Passage by Congress of Necessary Laws to Re-establish the Issuing of Money as a Monopoly of Government, Etc.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

REPORT OF STANDING COMMITTEES

The Committee on Public Printing made the following report:

Mr. President: Your Committee on Public Printing to whom was referred:

House Bill No. 95. A Bill for an Act Legalizing and Validating All Publications and Posting of Tax Sale Notices and Tax Sale Certificates Based Thereon Which Notices Have Been Posted or Published Prior to January 1st, 1935.

Have had the same under consideration and recommend that the same do pass.

MELVIN P. JOHNSON,
Chairman.

Senator Johnson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Public Printing made the following report:

Mr. President: Your Committee on Public Printing to whom was referred:

House Bill No. 299. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 206 of the 1933 Session Laws of the State of North Dakota, Providing for the Sale of Personal Property or Chattels Ordered Sold by Judicial Action; Providing for the Publication of Notice of Sale, Repealing Acts in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

MELVIN P. JOHNSON,
Chairman.

Senator Johnson moved that the report be adopted.

Senator Matthaei moved as a substitute motion that House Bill No. 299 be recommended for passage.

Senator Cain requested that the committee report on House Bill No. 299 be placed at the bottom of committee reports.

Which request was granted.

The Committee on Banks and Banking made the following report:

Mr. President: Your Committee on Banks and Banking to whom was referred:

House Bill No. 86. A Bill for an Act Providing for the Organization of Credit Unions, the Incorporation Thereof, the Internal Regulation and Management of Same, Defining Their Powers and Duties, Fixing the Number of Officers and Committees, Defining Their Powers, Tenure, Compensation and Duties, Providing for the Adoption and Amendment of By-Laws, Prohibiting the Use of the Term "Credit Unions" by Other Persons, Firms, Associations or Corporations, Defining Membership Therein, Regulating the Rights of Borrowers, Interest on Loans, Capital, Reserves, Loans, Security, Dividends, Fines, Expulsion and Withdrawal of Members, Dissolution, Change of Place of Business, Taxa-

tion of Property, Providing for Reports and Examinations, and Placing the Same Under the Supervision of the State Banking Board.

Have had the same under consideration and recommend that the same do pass.

C. W. FINE,
Chairman.

Senator Fine moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Highways made the following report:

Mr. President: Your Committee on Highways to whom was referred:

House Bill No. 256. A Bill for an Act Authorizing the County Commissioners to Purchase and Condemn Right of Ways.

Have had the same under consideration and recommend that the same do pass.

HARRY PETERSON,
Chairman.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Game and Fish made the following report:

Mr. President: Your Committee on Game and Fish to whom was referred:

House Bill No. 323. A Bill for an Act to Amend and Re-enact Sub-section 1 of Section 20, Session Laws of 1931 Relating to Game and Fish.

Have had the same under consideration and return the same without recommendation.

W. S. HANDLEY,
Chairman.

Senator McDonald moved that House Bill No. 323 be placed upon the calendar, which motion prevailed.

The Committee on Cities and Municipal Corporations made the following report:

Mr. President: Your Committee on Cities and Municipal Corporations to whom was referred:

House Bill No. 262. A Bill for an Act to Amend and Re-enact Section 3596 of the Compiled Laws of 1913, Relating to Procedure in Passing Ordinances in Cities Under the Mayor Council Form of Government.

Have had the same under consideration and recommend that the same do pass.

G. A. JONES,
Chairman.

Senator Jones moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred:

House Bill No. 313. A Bill for an Act Authorizing and Directing the Register of Deeds in the Various Counties to Remove From Their Files and Destroy Outlawed Seed Liens, Labor Liens, Stallion Liens, Chattel Mortgages and Threshing Liens Filed Prior to January 1, 1920, and by Reason of Failure of Renewal as by Statute Provided Have Become Outlawed; Requiring Records to Be Kept.

Have had the same under consideration and recommend that the same do pass.

A. F. BONZER, Jr.,
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 122. A Bill for an Act to Provide for Pensions for the Blind, Creating a Pension Fund, Therefor, Providing for the Levy of an Annual Tax, Prescribing Persons to Be Pensioned.

Have had the same under consideration and recommend that the same be amended as follows:

Line 7, Section 2 of the engrossed Bill, strike out the figures "16" and insert in lieu thereof the figures "21."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 76. A Bill for an Act to Amend and Re-enact Chapter 264 of the Session Laws of 1933, Being an Act to Suspend the Operation of Section 2202 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 199 of the Session Laws of 1925, (Section 2202 of the 1925 Supplement to the Compiled Laws of 1913) and as Amended by Chapter 266 of the Session Laws of 1927, Relating to Tax Deeds to Be Issued to the County Upon the Expiration of the Period of Redemption, Upon Due Notice; Tax Deeds to the County and Sale of Property So Acquired Until December 31st, 1935, Further Extend the Time of Suspension to December 31st, 1937; and Suspending the Operation of All Acts or Parts of Acts in Conflict Herewith and Declare an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

At the end of Section 2 of the engrossed Bill, add the following language: "Provided that property acquired at or before the taking effect hereof, the same may be appraised, advertised and sold at the option of the County Commissioners."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 48. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes Assessed and Levied for the Year 1933, and All Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partial Cancellation of the Original Amount of Such Taxes.

Have had the same under consideration and recommend that the same be amended as follows:

After the words "A Bill" strike out the title and insert the following words: "For an Act permitting that personal property taxes assessed and levied for the year 1932 and prior years be paid and cancelled upon payment of certain amounts without interest and penalties, and allowing Board of County Commissioners, with approval of Tax Commissioner, to abate and compromise interest and penalties on personal property taxes assessed and levied for the years 1933 and 1934, and declaring an emergency."

In lines 11 and 12 of Section 1, of the engrossed Bill, strike

out the words "for the year 1933 upon the payment of 100% of the original tax" and add the following words in lieu thereof: "for the years 1933 and 1934 the Board of County Commissioners of each county may, at its discretion, upon the application of any debtor of personal property taxes for either of those years, which application shall be in the form prescribed in Section 2 of Chapter 276 of the 1931 Session Laws, abate all or part of the interest and penalties which may have accrued upon the personal property taxes of that debtor for any of those years, provided said application is made and filed not later than December 31, 1935, and the said abatement, if allowed, is approved by the Tax Commissioner of this State."

And when so amended recommend the same do pass.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Taxes and Tax Laws made the following report:

Mr. President: Your Committee on Taxes and Tax Laws to whom was referred:

House Bill No. 210. A Bill for an Act to Amend and Re-enact That Portion of Section 2166 of the Supplement to the Compiled Laws of 1913 as Was Amended and Re-enacted by Sub Section (b) of Section 1 of Chapter 279 of the 1931 Session Laws Relating to the Collection of Personal Property Taxes; Providing for Publication of Personal Property Tax List in Newspapers Nearest the Taxing District. Repeal.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. K. BROSTUEN,
Chairman.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

A majority of the Committee on Banks and Banking made the following report:

Mr. President: A majority of your Committee on Banks and Banking to whom was referred:

House Bill No. 258. A Bill for an Act Providing a Uniform Law for the Administration and Supervision of Trust Estates in the District Court, and Providing the Procedure and Rules Governing and Relating to Same; and Repealing All of Chapter 122 of the Session Laws of North Dakota for the Year 1931, and All Other Acts or Parts of Acts in Conflict Herewith, and Making the Act an Emergency Measure.

Have had the same under consideration and recommend that the same do pass.

WM. A. THATCHER,
L. O. FREDRICKSON,
ALEX LIND,
O. E. ERICKSON,
G. A. JONES,
A. S. MARSHALL,
JOHN L. MIKLETHUN,
C. W. FINE, Chairman.

A minority of the Committee on Banks and Banking made the following report:

Mr. President: A minority of your Committee on Banks and Banking to whom was referred:

House Bill No. 258. A Bill for an Act Providing a Uniform Law for the Administration and Supervision of Trust Estates in the District Court, and Providing the Procedure and Rules Governing and Relating to Same; and Repealing All of Chapter 122 of the Session Laws of North Dakota for the Year 1931, and All Other Acts or Parts of Acts in Conflict Herewith, and Making the Act an Emergency Measure.

Have had the same under consideration and recommend that the same be indefinitely postponed.

MAX H. STREHLOW,
WM. WATT,
A. A. TROVATTEN,
HARRY PETERSON,
A. W. FOWLER.

Senator Fine moved that the report of the majority be adopted.

Senator Cain moved as a substitute motion that the word "minority" be substituted for the word "majority."

Which motion was lost.

The question being on the adoption of the majority report, the motion prevailed, and House Bill No. 258 was recommended for passage.

A majority of the Committee on State Affairs made the following report:

Mr. President: A majority of your Committee on State Affairs to whom was referred:

House Bill No. 87. A Bill for an Act to Amend and Re-enact Chapter 264 of the Session Laws of the State of North Dakota for the Year 1931, Providing for the Appointment of a Superintendent, of State Hospital for the Insane, Assistant Medical Superintendents, and Assistant Chiropractic Superintendents, Salaries of Superintendents and Providing Meth-

od of Handling Patients, and Provision for Preference as to Type of Treatment by Nearest Relative or General Personal Guardian, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

HARRY PETERSON,
J. P. CAIN,
E. C. STUCKE,
W. E. MATTHAEI,
A. A. TROVATTEN,
T. E. WHELAN,
WM. WATT,
A. F. BONZER, Jr., Chairman.

A minority of the Committee on State Affairs made the following report:

Mr. President: A minority of your Committee on State Affairs to whom was referred:

House Bill No. 87. A Bill for an Act to Amend and Re-enact Chapter 264 of the Session Laws of the State of North Dakota for the Year 1931, Providing for the Appointment of a Superintendent, of State Hospital for the Insane, Assistant Medical Superintendents, and Assistant Chiropractic Superintendents, Salaries of Superintendents and Providing Method of Handling Patients, and Provision for Preference as to Type of Treatment by Nearest Relative or General Personal Guardian, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

O. E. ERICKSON,
W. S. HANDLEY,
JOHN L. MIKLETHUN,
E. E. GREENE,
GUST WOG,
ALEX LIND.

Senator Bonzer moved that the report of the majority be adopted.

Senator Erickson moved as a substitute motion that the word "minority" be substituted for the word "majority."

Senator Erickson demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the motion of Senator Erickson, the roll was called and there were ayes, 13; nays, 34; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Erickson	Johnson	Owings
Ettestad	Lind	Thorson

Messrs.	Messrs.	Messrs.
Greene, Cavalier	Miklethun	Trout
Greene, Stutsman	Mutchler	Wog
Handley		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	Nelson, Barnes
Braaten	Kamrath	Nelson, Grand Fks.
Brostuen	Kolpin	Peterson
Cain	Kroeber	Strehlow
Coffey	Lemke	Stucke
Crandall	Lowe	Thatcher
Drew	Lynn	Topp
Eastgate	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.
Dubay	Whelan

So the motion was lost.

The question being on the adoption of the majority report, the motion prevailed, and House Bill No. 87 was indefinitely postponed.

Senator Braaten moved that the vote by which House Bill No. 87 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The majority of your Committee on Insurance made the following report:

Mr. President: Your Committee on Insurance to whom was referred:

House Bill No. 165. A Bill for an Act to Amend and Re-enact Sections 189c1, 189c2, 189c3, 189c5, 189c6, 189c7, 189c8, 189c9, 189c13, 189c14 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapters 173 and 174 of the 1929 Session Laws and Chapters 162, 163, and 164 of the 1931 Session Laws, and Chapter 135 of the 1933 Session Laws, and Sections 189c4 and 189c11 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Fire and Tornado Insurance on Public Buildings and Fixing Rates of Premiums to Be Charged, and Providing for Deposit of Investments of State Fire and Tornado Fund; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same do pass.

J. S. MCGILLIC,
J. E. EASTGATE,
GUST WOG,
GEORGE V. COFFEY,
R. A. OWINGS,
A. F. BONZER, Jr.,
W. E. MATTHAEI, Chairman.

The minority of your Committee on Insurance made the following report:

Mr. President: Your Committee on Insurance to whom was referred:

House Bill No. 165. A Bill for an Act to Amend and Re-enact Sections 189c1, 189c2, 189c3, 189c5, 189c6, 189c7, 189c8, 189c9, 189c13, 189c14 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapters 173 and 174 of the 1929 Session Laws and Chapters 162, 163, and 164 of the 1931 Session Laws, and Chapter 135 of the 1933 Session Laws, and Sections 189c4 and 189c11 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Fire and Tornado Insurance on Public Buildings and Fixing Rates of Premiums to Be Charged, and Providing for Deposit on Investments of State Fire and Tornado Fund; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. FINE,
L. O. FREDRICKSON

Senator Matthaei moved that the report of the majority be adopted.

Senator Fine moved as a substitute motion that the word "minority" be substituted for the word "majority."

Senator Fredrickson demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the motion of Senator Fine, 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.
Braaten	Handley	McDonald
Brostuen	Kamrath	Miklethun
Drew	Kolpin	Mutchler
Dubay	Lemke	Stucke

Messrs.	Messrs.	Messrs.
Fine	Lind	Thorson
Fredrickson	Marshall	Trout
Gronvold		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	Peterson
Coffey	Kroeber	Strehlow
Crandall	Lowe	Topp
Eastgate	Lynn	Trovatten
Erickson	Matthaei	Vinje
Ettestad	McGillic	Watt
Fowler	Nelson, Barnes	Whelan
Greene, Cavalier	Nelson, Grand Fks.	Wog
Greene, Stutsman	Owings	Young
Johnson		

Absent and not voting:

Messrs.	Messrs.
Cain	Thatcher

So the motion was lost.

The question being on the adoption of the majority report, which motion prevailed and House Bill No. 165 was recommended for passage.

The Committee on Agriculture made the following report:

Mr. President: Your Committee on Agriculture to whom was referred:

House Bill No. 196. A Bill for an Act Providing for the Creation and Establishment of a Labor Division Within the Department of Agriculture and Labor, and Providing for the Qualification and Making Provision for the Appointment of a Deputy Within the Department of Agriculture and Labor, to Represent Labor.

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 language:

"For an Act Providing for the Creation and Establishment of a Labor Division Within the Department of Agriculture and Labor, and Providing for the Qualification and Making Provision for the Appointment of a Deputy Within the Department of Agriculture and Labor, to Represent Labor; Establishing a State Employment Service in Cooperation With the Federal Government Under the Provisions of the Wagner-Peyser Act. Providing Payment of Salaries and Expenses and Making an Appropriation, and Declaring an Emergency.

Be It Enacted by the Legislative Assembly of the State of North Dakota:

"Section 1. The Commissioner of Agriculture and Labor

is hereby authorized and directed to create and establish a Labor Division within the Department of Agriculture and Labor. Administration and enforcement of all labor laws, rules and regulations under the direction of the Commissioner of Agriculture and Labor shall be placed in and with the Labor Division.

Section 2. The Commissioner of Agriculture and Labor is hereby authorized to set aside to the credit and use of the said Labor Division, from appropriations made by the Legislature for the operation of said Department of Labor, such funds as may be appropriated for the efficient maintenance and operation of said Labor Division.

Section 3. The Commissioner of Agriculture and Labor is hereby authorized and directed to appoint a deputy in his department who shall be the official head of the said Labor Division. This deputy shall serve under the direction and order of the Commissioner of Agriculture and Labor."

Section 4. The Labor Deputy so appointed shall have been at least five years immediately preceding his appointment actively identified with Labor in the State of North Dakota, shall be not less than thirty years of age, and shall have a practical knowledge of and experience in Labor matters and Labor relations. He shall hold office during the term of the Commissioner of Agriculture and Labor, subject to removal for inefficiency or neglect of duty. He shall receive as salary an amount not less than the prevailing average salary paid to deputies of other State Departments or that of the chief deputy of the Department of Agriculture and Labor, if the person holding this appointment be other than the chief deputy of said department.

Section 5. The State of North Dakota accepts the provisions of the Wagner-Peyser Act, approved June 6, 1933 (48 Stat. 113, United States Code Title 29, Section 49, "An act to provide for the establishment of a national employment system and for co-operation with the States in the promotion of such system, and for other purposes," in conformity with Section 4 thereof, and will observe and comply with the requirements of said Act.

Section 6. The Department of Agriculture and Labor of the State of North Dakota is hereby designated and constituted the agency of the State of North Dakota for the purposes of such Act. The Commissioner of Agriculture and Labor is hereby given full power and authority to cooperate with all the authorities of the United States having powers or duties under such Act all things necessary to secure to and for the State of North Dakota the benefits of such Act in the promotion of a system of public employment office, and in conformity with the provision of Chapter 117 of the 1921 Session Laws being Sections 572a1 to 572a6 inclusive of the 1925 Supplement to the 1913 Compiled Laws of North Dakota.

Section 7. The Commissioner of Agriculture and Labor, in Accordance with the regulations prescribed by the Direc-

tor of the United States Employment Service, shall appoint the officers and other employees of the North Dakota State Employment Service. He shall fix the salaries or compensation and determine the period during which such employment office shall be in operation.

Section 8. All Federal Funds made available to this State under said Act of Congress shall be paid into the General Treasury of this State, and said funds are hereby appropriated and made available to the Department of Agriculture and Labor to be expended as provided by said Act of Congress and this Act. The compensation and expense of the officers and the employees of the North Dakota Employment Service shall be paid by the State Treasurer out of the State Employment Service fund upon vouchers approved by the Commissioner of Agriculture and Labor and the State Auditing Board.

Section 9. The sum of \$5,000.00 is hereby appropriated out of any moneys in the General Treasury not otherwise appropriated for the purpose of maintaining the public employment offices created under this Act and for the purpose of co-operating with the United States Employment Service. Such appropriation together with the Federal funds made available to this State under the provisions of the Wagner-Peyser Act of Congress shall be set aside and designated by the State Treasurer as the "State Employment Service Fund."

Section 10. **EMERGENCY.** This Act is hereby declared an emergency and shall be enforced and in exact form after its passage and approval."

And when so amended recommend the same do pass.

HERMAN THORSON,
Chairman.

Senator Thorson moved that House Bill No. 196 be referred to the Committee on Appropriations.

Which motion prevailed.

The Committee on Highways made the following report:

Mr. President: Your Committee on Highways to whom was referred:

House Bill No. 325. A Bill for an Act to Restore the Motor Vehicle Registration Fund to the Highway Department.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out everything after the words "A Bill" in the title of this Act and insert in lieu thereof the following:

"For an Act Relating to the Distribution of the Motor Vehicle Registration Fund.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

Section 1. AMENDMENT.) That Section 30, Chapter 160, Session Laws of North Dakota for 1933, be amended and re-enacted to read as follows:

Section 30. Any monies in the Registration Fund accruing after January 1st, 1936, from license fees issued during the year 1936, or from other like sources, in excess of the amount required to pay salaries and other necessary expenses of said Fund, shall be quarterly transferred and credited by the State Treasurer as follows: 50 percent to the State Highway Department and 50 percent to the counties of the State of North Dakota; provided, that prior to said January 1st, 1936, all such net monies shall be paid over as provided in said Section 30, Chapter 160, Session Laws of North Dakota for 1933."

And when so amended recommend the same do pass.

HARRY PETERSON,
Chairman.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

The question was on the pending substitute motion of Senator Matthaei that House Bill No. 299 be recommended for passage.

The motion prevailed, and House Bill No. 299 was placed upon the calendar.

MESSAGES FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

March 4, 1935.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 159. A Bill for an Act to Provide for Reciprocal Fire Underwriters' Licenses.

Also,

Senate Bill No. 139. A Bill for an Act Making an Appropriation to Meet a Deficiency in the Appropriations Made to the Board of Pardons for the Biennium Period Expiring June 30, 1935, and Declaring an Emergency.

Also,

Senate Bill No. 140. A Bill for an Act Making an Appropriation to the Attorney General to Repay Money Borrowed from The Bank of North Dakota to Pay Expenses

Incurred for Fees and Disbursements in Certain Tax Litigations, and Declaring an Emergency.

Also,

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 26, 27, 31, 32 and 33 of Chapter 164, of the Session Laws for 1933, Relating to Regulation of Motor Vehicle Transportation, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

March 5, 1935.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 124. A Bill for an Act Declaring Water and/or Wildlife Conservation to Be a State Purpose, Providing the Governor and Board of University and School Lands with the Authority to Grant to the United States of America, or to Any of Its Instrumentalities or Agencies, Any and All Easement Rights as Shall Be Required for the Construction, Maintenance and Operation of Water and/or Wildlife Conservation Projects to Be Constructed on the Public Lands of the State of North Dakota, Declaring That Such Water and/or Wildlife Conservation Projects Shall Be Considered as a Benefit to Said Lands and Not to Diminish the Value or Purchase Price Thereof, Repealing Any and All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Very truly yours,

WALTER WELFORD,
Governor.

Senator Thorson moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

FIFTY-SEVENTH DAY

Senate Chamber,
Bismarck, North Dakota,
March 5, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. Hildebrand.

Roll Call: All Senators were present.

Senator Watt asked unanimous consent to be on the Eleventh Order of Business.

Which motion prevailed.

TUESDAY, MARCH 5, 1935

1353

SENATE RESOLUTION "G"

Introduced by Senator Watt

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, That the Industrial Commission, The Board of Administration, the State Board of Auditors, the State Regulatory Department, the Commissioner of Insurance, the State Highway Department, the Board of Railroad Commissioners, Motor Vehicle Department, and the Workmen's Compensation Bureau, are hereby requested and directed forthwith to prepare and file with the Secretary of the Senate a list of any and all employees under their jurisdiction, supervision, or control, directly or indirectly, giving the name, office held and annual salary received, and the payroll for the month of February, 1935, also the amount spent for traveling and other expenses during the year 1934.

Senator Watt moved that Senate Resolution "G" be adopted.

Which motion prevailed and the resolution was adopted.

SENATE RESOLUTION No. H

Introduced by Senator Handley

Deprecating Lobby Against Sales Tax

BE IT RESOLVED, BY THE SENATE OF THE STATE OF NORTH DAKOTA: That,

WHEREAS, The members of the Twenty-fourth Legislative Assembly of the State of North Dakota, acting upon the advice and counsel of the Honorable Walter Welford, Acting Governor, and after full consideration and due deliberation concluded that the physical property in the state can no longer carry the unjust tax burden, and

WHEREAS, Every attempt has been made to secure the necessary funds to maintain our educational system and to carry on the governmental functions of the state without the enactment of a sales tax act, and

WHEREAS, It has been found impossible to do so and has been found necessary to present for the consideration of the members of the Senate and House, Senate Bill No. 313, in order to furnish the necessary revenues to balance the state's budget and maintain the credit of North Dakota,

THEREFORE, We call upon all local and patriotic residents of our state to support the action of your Acting Governor and the Members of the Twenty-fourth Legislative Assembly in the enactment of Senate Bill No. 313, and

BE IT FURTHER RESOLVED, That we earnestly request you to condemn the action of a few persons who, prompted by selfish motives, and who, without considering the best interests of the state, are proceeding to form an organization for the purpose of referring the measure, not because of any honest belief that the provisions of the act are detrimental to the interests of the people as a whole, but to the end that they may raise a fund and furnish employment to the organ-

izers. We further request that you refuse to join in this unjust action by refusing every request to sign referendum petitions.

Senator Handley moved that Senate Resolution "H" be adopted.

Which motion prevailed and the resolution was adopted.

Senator Strehlow moved that the Senate grant the request of the House for the return of Senate Bill No. 183.

Which motion prevailed.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-fourth day after recess and the Fifty-fifth day and recommend that the same be corrected as follows:

Strike out the last six lines on page 42.

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

Senator Owings moved that the report be adopted, which motion prevailed and the report was adopted.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 60 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 60. 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 President appoint a new conference committee for the reason that the Senate Committee will not accept the House amendments to House Bill No. 60.

For the Senate:

E. C. STUCKE,
J. S. MCGILLIC,
J. E. EASTGATE

For the House:

JOHN F. RANDALL,
ALBERT FJELD,
LEONAS MYERS

TUESDAY, MARCH 5, 1935

1355

Senator Stucke moved that the report be adopted and the Conference Committee discharged, which motion prevailed and the report was adopted.

The President announced the appointment of Senators Strehlow, McDonald and Lynn as the Senate Conference Committee on House Bill No. 60.

MESSAGE FROM THE HOUSE

Bismarek, North Dakota,
March 5, 1935.

Mr. President: I have the honor to inform you that the House requests the return of Senate Concurrent Resolution No. "A-e."

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarek, North Dakota,
March 5, 1935.

Mr. Speaker: I have the honor to return: Senate Bill No. 183.

Also return Senate Concurrent Resolution "A-e."

Which the House has requested.

Very respectfully,

F. E. TUNELL,
Secretary.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A petition presented at the desk, urging passage of House Bill No. 325.

Referred to the Committee on Highways.

A petition presented by Senator Marshall, signed, Emil A. Saylor and two others against importation of fuel from outside the state for our public institutions.

Referred to the Committee on Taxes and Tax Laws.

Six petitions presented by Senator Fredrickson, signed, by state creamery companies, asking favorable dairy department appropriations.

Referred to the Committee on Appropriations.

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. 217. A Bill for an Act to Amend and Re-enact Chapter 220, Session Laws of the State of North Dakota for the Year 1933, Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Summary Reduction of the Same, Relating to Hearings, and Investigations; and Relating to Valuation and/or Revaluation of Property of Public Utility Companies and Corporations by the Board of Railroad Commissioners; Relating to Payment of Expenses of Such Hearings, and Investigations, and Valuations and/or Revaluations and the Methods of Assessing and Collecting the Same; and Repealing All Acts or Parts of Acts in Conflict Herewith; and Making an Appropriation for the Valuation by Board of Public Commissioners of the Property of the Public Utilities, Subject to the Provisions of Chapter 192 of the Session Laws of 1919, Creating a Revolving Fund, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION No. W

A Concurrent Resolution Providing for the Amendment of Section 25 of Article 2 of the Constitution of the State of North Dakota, Relating to the Legislative Power of the State, and the Initiative and Referendum.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 30 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 30. A Bill for an Act Making an Appropriation for the use by the Board of Administration in Administering Child Welfare Laws.

Have had the same under consideration and recommend the following changes:

In line 10 of Section 1 of the engrossed bill, item "Chief Clerk and Stenographer," strike out the figures "2,160.00" and insert in lieu thereof the figures "2,400.00."

In line 11 of the engrossed bill, item "postage," strike out the figures "400.00" and insert in lieu thereof the figures "300.00."

In line 12 of the engrossed bill, Section 1, item "Office Supplies," strike out the figures "200.00" and insert in lieu thereof the figures "150.00."

In line 14 of Section 1 of the engrossed bill, item "printing," strike out the figures "150.00" and insert in lieu thereof the figures "200.00."

Following line 16, insert line 17 as follows:

"For Physically Handicapped Children\$5,000.00."

In line 18, item "TOTAL," strike out the figures "\$9,300.00" and insert in lieu thereof the figures "\$14,440.00."

For the Senate:

WM. A. THATCHER,
A. A. TROVATTEN,
B. W. LEMKE.

For the House:

W. S. PLACE,
M. H. HOLTE,
L. C. ODEGARD.

Senator Thatcher moved that the report be adopted, and the Conference Committee discharged, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 72.

Also,

House Bill No. 44.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Mr. President: Your Conference Committee appointed to confer with a like committee from the House on House Bill No. 44 beg leave to report:

That we have agreed to the following amendments to the engrossed bill:

Item 2—Clerkhire	\$69,000
Item 6—Printing	4,000
Item 7—Miscellaneous	7,000
Item 8—Travel expense	7,000

That the totals in line 3 and line 21 of Section 1 to read \$127,940 in each place.

For the House:

O. C. OLSON,
NELS P. NOBEN,
W. BAUER

For the Senate:

W. S. HANDLEY,
C. W. FINE,
ALBERT DUBAY

Senator Fine moved the report be adopted and the committee be discharged.

Which motion prevailed and the report was adopted.

Senator Handley moved that the vote by which the Conference Committee report on House Bill No. 44 was adopted, be reconsidered.

Which motion prevailed.

Senator Watt moved that the report of the Conference Committee on House Bill No. 44 be not accepted and a new Conference Committee be appointed.

Which motion was lost.

Senator Watt moved that House Bill No. 44 be placed at the foot of the calendar.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to inform you that the House has indefinitely postponed House Bill No. 278.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to inform you that the

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House has concurred in the Senate amendment to House Bill No. 311.

Also, House Bill No. 5.

Also, House Bill No. 170.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 295.

Also inform you that the House has refused to concur in the Senate amendment to House Resolution "A-4."

And the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives: Godwin, Goodlaxon and Aljets.

Also inform you that the House has refused to concur in the Senate amendment to House Bill No. 38, and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives: Beggs, Holte and Johnson.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to

House Bill No. 67.

Also,

House Bill No. 263.

Also inform you that the House has refused to concur in the Senate amendment to

House Bill No. 217.

And the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives: Fedje, Fitzgerald and Gessner.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Bonzer moved that the vote by which Senate Resolution "G" was adopted be reconsidered.

Which motion prevailed.

Senator Bonzer moved that Senate Resolution "G" be referred to the Committee on State Affairs.

Which motion prevailed.

The Conference Committee on House Bill No. 72 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 72. A Bill Providing for the Investment of Trust Funds of Executors, Administrators and Guardians and Procedure Required, and Declaring an Emergency.

Have had the same under consideration and recommend:

The amended bill be further amended by striking out the word "with" in line 4 following the word "made" and inserting in lieu thereof the word "without."

In Section 2, after the words "Veterans Administration," strike out the word "Facilities" and insert in lieu thereof the word "Bureau."

In Section 2, line 5, strike out the words "next of kin" and insert in lieu thereof the following: "mother or father, or if not living, upon all brothers and sisters over the age of sixteen."

For the Senate:

O. E. ERICKSON,
ED. GREENE,
WILLIAM KROEBER.

For the House:

E. J. McILRAITH,
ALEX DALZELL,
LELAND SMITH.

Senator Erickson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Erickson moved that the rules be suspended and that House Bill No. 72, as amended, be placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 72. A Bill Providing for the Investment of Trust Funds of Executors, Administrators and Guardians and Procedure Required, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Handley	Miklethun
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kroeber	Peterson
Crandall	Lemke	Strehlow
Drew	Lind	Stucke
Dubay	Lowe	Thatcher
Erickson	Lynn	Trout
Ettestad	Marshall	Vinje
Fine	Matthaei	Whelan
Fowler	McDonald	Wog
Greene, Stutsman	McGillic	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Kamrath	Thorson
Eastgate	Kolpin	Topp
Fredrickson	Mutchler	Trovatten
Greene, Cavalier	Nelson, Barnes	Watt

So the bill passed and the title was agreed to.

Senator Matthaei moved that Senate Bill No. 138 be made a special order of Business for five o'clock today.

Which motion prevailed.

House Bill No. 338. A Bill for an Act Creating a State Board of Public Welfare, Defining its Powers and Duties; Permitting Appointment of Executive Director; Hold Office at Pleasure of Board; Establishing the State Welfare Fund; Making an Appropriation Therefor; Repealing All Acts and Parts of Acts in Conflict With the Provisions of This Act, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 35; nays, 10; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Nelson, Grand Fks.
Braaten	Kamrath	Owings
Brostuen	Kolpin	Peterson
Cain	Kroeber	Stucke

Messrs.	Messrs.	Messrs.
Dubay	Lemke	Thatcher
Erickson	Lind	Thorson
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fowler	Matthaei	Vinje
Greene, Stutsman	McDonald	Watt
Gronvold	Miklethun	Wog
Handley	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Coffey	Lowe	Topp
Crandall	McGillic	Whelan
Drew	Strehlow	Young
Jones		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	Greene, Cavalier	Nelson, Barnes
Fredrickson		

So the bill passed and the title was agreed to, and the emergency clause declared carried.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

March 5, 1935.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 220. A Bill for an Act to Suspend the Operating of Chapter 24 of the Political Code of the State of North Dakota for the Year 1913, Being Sections 1889 to 1902 Both Inclusive of Said Compiled Laws, Relating to the Enumeration of Inhabitants in the State of North Dakota, and Declaring an Emergency.

Very truly yours,

WALTER WELFORD,
Governor.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 5, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has appointed as a new Conference Committee, on

House Bill No. 60, Senators Strehlow, McDonald and Lynn, and has adopted the report of the Conference Committee on House Bill No. 30.

Also, House Bill No. 72.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Whelan moved that House Bill No. 258 be placed at the head of the calendar.

Which motion prevailed.

Senator Whelan moved that further consideration of House Bill No. 258 be indefinitely postponed.

Senator Whelan demanded a Roll Call.

A Roll Call was granted.

ROLL CALL

The question being on the motion of Senator Whelan to indefinitely postpone House Bill No. 258, 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.
Bonzer	Lynn	Strehlow
Cain	Matthaei	Topp
Crandall	McDonald	Trout
Drew	McGillic	Trovatten
Eastgate	Mutchler	Watt
Fowler	Nelson, Grand Fks.	Whelan
Gronvold	Peterson	Young
Lowe		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Greene, Stutsman	Marshall
Brostuen	Handley	Miklethun
Coffey	Johnson	Nelson, Barnes
Dubay	Jones	Owings
Erickson	Kamrath	Stucke
Ettestad	Kolpin	Thatcher
Fine	Kroeber	Thorson
Fredrickson	Lemke	Vinje
Greene, Cavalier	Lind	Wog

So the motion was lost.

House Bill No. 258. A Bill for an Act Providing a Uniform Law for the Administration and Supervision of Trust Estates in the District Court, and Providing the Procedure and Rules Governing and Relating to Same; and Repealing All of Chapter 122 of the Session Laws of North Dakota

for the Year 1931, and All Other Acts or Parts of Acts in Conflict Herewith, and Making the Act an Emergency Measure.

Was read the second time.

ROLL CALL

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.
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Coffey	Jones	Owings
Dubay	Kamrath	Strehlow
Erickson	Kolpin	Stucke
Ettestad	Kroeber	Thatcher
Fine	Lemke	Thorson
Fredrickson	Lind	Trout
Greene, Cavalier	Marshall	Vinje
Greene, Stutsman	Miklethun	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Lowe	Peterson
Cain	Lynn	Topp
Crandall	Matthaei	Trovatten
Drew	McDonald	Watt
Eastgate	McGillic	Whelan
Fowler	Nelson, Grand.Fks.	Young
Gronvold		

So the bill passed and the title was agreed to, and the emergency clause declared lost.

Senator Miklethun moved that the vote by which House Bill No. 258 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Greene of Stutsman: "I can understand Senator Whelan's feeling about this and can only say he has been very fortunate if he has gotten this far along in his second session and still feels these things.

"I have been threatened so many times from both sides, even by long distance telephone calls from people close within the administration, that I don't pay any attention any more.

"I am sorry people make such statements. I do not know the man who made this statement but I am voting 'no' against indefinite postponement of the Bill."

House Bill No. 355. A Bill for an Act Making an Appropriation to Provide for Payment of a Deficit in the Amount

Appropriated for Payment of Per Diem of Employees of Twenty-fourth Legislative Assembly.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand.Fks.
Brostuen	Kamrath	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Crandall	Lemke	Stucke
Drew	Lind	Thatcher
Dubay	Lowe	Thorson
Eastgate	Lynn	Topp
Ettestad	Marshall	Trout
Fine	Matthaei	Trovatten
Fowler	McDonald	Vinje
Fredrickson	McGillic	Watt
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Jones	Whelan

So the bill passed and the title was agreed to.

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 140, Session Laws 1933, Defining Usury.

Was read the second time.

ROLL CALL

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.
Bonzer	Johnson	Owings
Braaten	Jones	Peterson
Brostuen	Kamrath	Strehlow
Cain	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lind	Thorson
Dubay	Lowe	Topp
Eastgate	Lynn	Trout
Ettestad	Marshall	Trovatten

Messrs.	Messrs.	Messrs.
Fine	Handley	Nelson, Grand.Fks.
Fowler	McDonald	Vinje
Fredrickson	McGillic	Watt
Greene, Cavalier	Miklethun	Whelan
Greene, Stutsman	Mutchler	Wog
Gronvold	Nelson, Barnes	Young

Those voting in the negative were:

Messrs.	Messrs.
Coffey	Lemke

Absent and not voting:

Messrs.	Messrs.
Erickson	Matthaei

So the bill passed and the title was agreed to.

House Bill No. 213. A Bill for an Act Creating the State Athletic Commission, Prescribing its Powers and Duties, Providing Penalties for Violations and Repealing all Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

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.
Bonzer	Kroeber	Strehlow
Brostuen	Lind	Stucke
Cain	Lynn	Thorson
Coffey	Marshall	Trovatten
Crandall	Matthaei	Vinje
Ettestad	McDonald	Watt
Fowler	McGillic	Whelan
Greene, Stutsman	Nelson, Grand Fks.	Wog
Johnson	Peterson	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Gronvold	Miklethun
Drew	Handley	Nelson, Barnes
Dubay	Jones	Owings
Eastgate	Kamrath	Thatcher
Fine	Kolpin	Topp
Fredrickson	Lemke	Trout
Greene, Cavalier	Lowe	

Absent and not voting:

Messrs.	Messrs.
Erickson	Mutchler

So the bill passed and the title was agreed to.

House Bill No. 286. A Bill for an Act to Amend and Re-enact Sections 396b1, 396b2, 396b4, 396b5 and 396b10 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to the Minimum Wage and Hours for Women Workers; Transferring the Duties for the Enforcement of the Said Law From the Workmen's Compensation Bureau to the Department of Agriculture and Labor; Repealing All Acts and Parts of All Acts in Conflict With This Act and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Mutchler
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thorson
Dubay	Lind	Topp
Ettestad	Lowe	Trout
Fine	Lynn	Trovatten
Fowler	Marshall	Vinje
Fredrickson	Matthaei	Watt
Greene, Cavalier	McDonald	Wog
Greene, Stutsman	Miklethun	Young
Gronvold		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Eastgate	Nelson, Barnes	Thatcher

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	McGillic	Whelan

So the bill passed and the title was agreed to, and the emergency clause declared carried.

House Bill No. 234. A Bill for an Act Relating to Foreclosure of Real Estate Mortgages Held by the State of North Dakota as Security for Investment of Permanent School Funds, Authorizing the Board of University and School Lands to Accept From Record Title Owner Deed of Conveyance of Mortgaged Land in Lieu of Foreclosure, Affect of Such an Deed, Dispensing With Execution and Delivery of Power of Attorney in Conducting Proceedings for the Foreclosure of Such Mortgages, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Jones	Nelson, Barnes
Braaten	Kamrath	Owings
Brostuen	Kolpin	Peterson
Coffey	Kroeber	Stucke
Crandall	Lemke	Thatcher
Drew	Lind	Thorson
Eastgate	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fredrickson	Matthaei	Vinje
Greene, Cavalier	McDonald	Watt
Greene, Stutsman	McGillic	Whelan
Handley	Miklethun	Young
Johnson	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Fowler	Nelson, Grand Fks.
Dubay	Gronvold	Strehlow

Absent and not voting:

Messrs.	Messrs.
Erickson	Wog

So the bill passed and the title was agreed to and the emergency clause declared carried.

House Bill No. 363. A Bill for an Act Directing the Board of Administration of the State of North Dakota to Sell at Public Auction or Private Sale, Automobiles and Automobile Equipment Purchased by the Beer Commissioner of the State of North Dakota; Authorizing Said Board to Demand, Receive and Take Possession of Such Property; Directing Attorney General to Institute Suits or Proceedings at Request of Board of Administration; Permitting Deduction of Costs and Expenses Connected with Said Sale; Providing for Disposition of Balance of the Receipts and Requiring Report to Governor; Repealing Acts in Conflict and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Grand Fks.
Braaten	Handley	Owings
Brostuen	Jones	Peterson
Cain	Kolpin	Strehlow
Coffey	Kroeber	Stucke
Crandall	Lemke	Thatcher
Drew	Lind	Thorson
Dubay	Lowe	Topp
Eastgate	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	McDonald	Vinje
Fowler	McGillic	Watt
Fredrickson	Miklethun	Wog
Greene, Cavalier	Mutchler	Young
Greene, Stutsman	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Johnson	Kamrath	Whelan

Absent and not voting:

Messrs.	Messrs.
Erickson	Matthaei

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Strehlow: "I am voting 'aye' on this Bill but I would like the Committee on Delayed Bills to tell this Senate whether they are selling these cars to buy new ones or whether they are going to dispose of them and keep out of the automobile business."

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 315. A Bill for an Act to Amend and Re-enact Section 4688a11 of the Supplement to the Compiled Laws of North Dakota, of 1913, Relating to Abolition of Railroad Crossings, the Construction and Maintenance of Overhead and Underground Crossings and Separate Grades and Providing for the Apportionment of the Costs Thereof.

Also,

Senate Bill No. 276. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 177, Laws of North Dakota for 1927 as Amended by Chapter 182, Laws of North Dakota for 1931, Relating to the Coloring of Gasoline by the Use of a Harmless Dye.

Also,

Senate Bill No. 223. A Bill for an Act to Amend and Re-enact Section 3666 of the Compiled Laws of North Dakota for 1913, Relating to the Time, Place and Manner of Holding City Elections in Cities Under the City Council Form of Government, and Providing That Elective Officers Serve Until Their Successors Are Elected and Qualify, and Declaring an Emergency.

Also,

Senate Bill No. 222. A Bill for an Act to Amend and Re-enact Section 4058 of the Compiled Laws of North Dakota for 1913, as Amended by Section 1 of Chapter 180 of the Session Laws of the State of North Dakota for 1929, Relating to the Organization of a Board of Park Commissioners, Defining the Qualifications, Mode of Election and Term of Office of Such Commissioners and Prescribing the Manner of Filling Vacancies of Said Board, and Declaring an Emergency.

Also,

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 196 of the Laws of North Dakota, 1927, in Relation to the Levy of Taxes to Pay the Principal of and Interest on Bonds Issued by Municipalities Which Are Further Sustained by Revenue of a Revenue-Producing Utility, Industry, or Enterprise, and Declaring an Emergency.

Also,

Senate Bill No. 114. A Bill for an Act Relating to Funding and Refunding Existing Indebtedness of Municipalities and Declaring an Emergency.

Which the House has passed unchanged.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to return:

Senate Bill No. 262. A Bill for an Act Temporarily Extending the Time in Which Redemption May Be Made from Tax Sales and Extending the Time in Which Holders of Tax Sales Certificates May Present the Same for Obtaining Tax Deeds, and Extending the Time in Which Tax Deeds May Be Obtained, and Declaring an Emergency and Repealing All Acts or Parts of Acts in Conflict Herewith.

Which the House has amended as follows:

Amendments are found in House Journal of March 4, pages 82 and 83.

Strike out all of line 12, Section 1, after the word "extended," and all of line 13 to and including the word "Act," and insert in lieu thereof the following: "to the first day of July, A. D. 1937; and the provisions of this Act shall be in full force and effect co-incident with the expiration of the provisions of Chapter 258 of the Session Laws of 1933."

Strike out all of Section 4 after the word "Emergency," where it first occurs therein and insert the following: "An Emergency is hereby declared to exist and this Act shall take effect from and after its passage and approval."

In line 15, after the word "shall," and before the comma, insert the word "have."

In line 16, change the word "file" to filed."

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Brostuen moved that the motion to defer action on appropriation bills until the Message from the Governor had been considered, be revoked.

Which motion prevailed.

House Bill No. 54. 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 second time.

ROLL CALL

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.
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lind	Thorson
Erickson	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Wog

Messrs.	Messrs.	Messrs.
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.
Bonzer	Whelan

So the bill passed and the title was agreed to.

House Bill No. 59. 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, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 43; nays, 4; absent and not voting 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Gronvold	Miklethun
Brostuen	Handley	Mutchler
Cain	Johnson	Nelson, Barnes
Coffey	Jones	Nelson, Grand Fks.
Crandall	Kamrath	Owings
Drew	Kolpin	Strehlow
Dubay	Kroeber	Stucke
Eastgate	Lemke	Thatcher
Erickson	Lind	Topp
Ettestad	Lowe	Trout
Fine	Lynn	Trovatten
Fowler	Marshall	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Young
Greene, Stutsman		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Matthaei	Whelan	Wog
Thorson		

Absent and not voting:

Messrs.	Messrs.
Bonzer	Peterson

So the bill passed and the title was agreed to.

Senator Matthaei asked unanimous consent to return to the Tenth Order of Business.

Which motion prevailed.

Senator Matthaai requested that the Secretary read the House amendments to Senate Bill No. 262.

Which request was granted.

Senator Matthaai moved that the Senate do concur in the House amendment to Senate Bill No. 262.

Which motion prevailed.

Senator Matthaai moved that the rules be suspended and that Senate Bill No. 262, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 262. A Bill for an Act Temporarily Extending the Time in Which Redemption May Be Made from Tax Sales and Extending the Time in Which Holders of Tax Sales Certificates May Present the Same for Obtaining Tax Deeds, and Extending the Time in Which Tax Deeds May Be Obtained, and Declaring an Emergency and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Grand Fks.
Braaten	Handley	Owings
Brostuen	Johnson	Peterson
Cain	Karnrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lynn	Trout
Erickson	Marshall	Trovatten
Ettestad	Matthaai	Vinje
Fine	McDonald	Watt
Fowler	McGillic	Whelan
Fredrickson	Miklethun	Wog
Greene, Cavalier	Mutchler	Young
Greene, Stutsman	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.
Jones	Lowe

So the bill passed and the title was agreed to.

Senator Matthaai moved that the vote by which Senate Bill No. 262 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 5, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 262.

Very respectfully,

F. E. TUNELL,
Secretary.

SPECIAL ORDER OF BUSINESS 5:00 P. M.

The question was on the pending substitute motion of Senator Erickson, that the Senate do concur in the House amendments to Senate Bill No. 138.

Senator Erickson withdrew his motion.

The question was on the motion of Senator Matthaei that the Senate do not concur in the House amendments to Senate Bill No. 138 and that a Conference Committee be appointed.

Which motion prevailed.

The President announced the appointment of Senators Matthaei, Erickson and Topp as the Senate Conference Committee on Senate Bill No. 138.

Senator Brostuen asked unanimous consent to return to the Seventh Order of Business.

Which motion prevailed.

Senator Brostuen moved that the vote by which House Bill No. 267 was lost be reconsidered.

Which motion prevailed.

Senator Brostuen moved that House Bill No. 267 be placed at the head of the calendar.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 267. A Bill for an Act to Authorize, Upon the Option of the Voters, the Creation of a Light and Power Users Commission in Any Organized Town, Village, or City in the State of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Johnson	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Drew	Kolpin	Peterson
Dubay	Kroeber	Strehlow
Erickson	Lind	Thatcher
Ettestad	Marshall	Thorson
Fine	McDonald	Topp
Fredrickson	Miklethun	Vinje
Greene, Cavalier	Mutchler	Watt
Greene, Stutsman	Nelson, Barnes	Wog
Handley		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Gronvold	Stucke
Coffey	Jones	Trout
Crandall	Lemke	Trovatten
Eastgate	Lynn	Whelan
Fowler	McGillic	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Lowe	Matthaei

So the bill passed and the title was agreed to.

Senator Bonzer moved that the vote by which House Bill No. 267 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fredrickson moved that House Bill No. 58 be placed at the foot of the calendar.

Which motion prevailed.

House Bill No. 57. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repair and Equipment of the State School of Science at Wahpeton, North Dakota.

Was read the second time.

ROLL CALL

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.
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Cain	Jones	Nelson, Grand Fks.
Coffey	Kamrath	Owings

Messrs.	Messrs.	Messrs.
Crandall	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Stucke
Eastgate	Lind	Thatcher
Erickson	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold		

Those voting in the negative were:

Messrs.
Thorson

Absent and not voting:

Messrs.	Messrs.
Bonzer	Whelan

So the bill passed and the title was agreed to.

The President pro tem. called Senator Erickson to the chair to preside.

House Bill No. 56. 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 second time.

. ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 45; nays, 1; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Gronvold	Mutchler
Brostuen	Handley	Nelson, Barnes
Cain	Johnson	Nelson, Grand Fks.
Coffey	Jones	Owings
Crandall	Kamrath	Peterson
Drew	Kolpin	Strehlow
Dubay	Kroeber	Stucke
Eastgate	Lemke	Thatcher
Erickson	Lind	Topp
Ettestad	Lowe	Trout
Fine	Lynn	Trovatten
Fowler	Marshall	Vinje
Fredrickson	Matthaei	Watt
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young

Those voting in the negative were:

Messrs.
Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	McDonald	Whelan

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 5, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 138 and the President has appointed as a Conference Committee Senators Matthaei, Erickson and Topp.

Very respectfully,

F. E. TUNELL,
Secretary.

House Bill No. 55. 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 second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lenke	Thatcher
Dubay	Lind	Thorson
Erickson	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	Miklethun	Whelan
Greene, Stutsman	Mutchler	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Eastgate	McGillic	Wog

So the bill passed and the title was agreed to.

House Bill No. 62. 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, North Dakota.

Was read the second time.

ROLL CALL

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.
Braaten	Gronvold	Nelson, Barnes
Brostuen	Handley	Nelson, Grand Fks.
Cain	Johnson	Owings
Coffey	Jones	Peterson
Crandall	Kamrath	Strehlow
Drew	Kolpin	Stucke
Dubay	Kroeber	Thatcher
Eastgate	Lemke	Thorson
Erickson	Lind	Topp
Ettestad	Lowe	Trout
Fine	Lynn	Trovatten
Fowler	Marshall	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	Miklethun	Young
Greene, Stutsman	Mutchler	

Those voting in the negative were:

Messrs.
Matthaei

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Whelan	Wog
McGillic		

So the bill passed and the title was agreed to.

Senator Watt moved that House Bill No. 7 be made a Special Order of Business for 9:00 P. M., tonight.

Which motion prevailed.

President pro tem. Marshall resumed the chair.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 217. A Bill for an Act to Amend and Re-enact Chapter 220, Session Laws of the State of North Dakota for the year 1933, Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations

Touching Such Rates, Providing for Summary Reduction of the Same, Relating to Hearings, and Investigations; and Relating to Valuation and/or Revaluation of Property of Public Utility Companies and Corporations by the Board of Railroad Commissioners; Relating to Payment of Expenses of Such Hearings, and Investigations, and Valuations and/or Revaluations and the Methods of Assessing and Collecting the Same; and Repealing All Acts or Parts of Acts in Conflict Herewith; and Making an Appropriation for the Valuation by Board of Public Commissioners of the Property of the Public Utilities, Subject to the Provisions of Chapter 192 of the Session Laws of 1919, Creating a Revolving Fund, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION "W"

And the President signed the same in the presence of the Senate.

Senator Fowler moved that the Senate do now recess until 8:00 P. M.

Which motion prevailed.

The Senate convened at 8:00 o'clock P. M., pursuant to recess, President pro tem. Marshall presiding.

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. 262. A Bill for an Act Temporarily Extending the Time in Which Redemption May Be Made from Tax Sales and Extending the Time in Which Holders of Tax Sales Certificates May Present the Same for Obtaining Tax Deeds, and Extending the Time in Which Tax Deeds May Be Obtained, and Declaring an Emergency and Repealing All Acts or Parts of Acts in Conflict Herewith.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan 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. 262. A Bill for an Act Temporarily Extending the Time in Which Redemption May Be Made from

Tax Sales and Extending the Time in Which Holders of Tax Sales Certificates May Present the Same for Obtaining Tax Deeds, and Extending the Time in Which Tax Deeds May Be Obtained, and Declaring an Emergency and Repealing All Acts or Parts of Acts in Conflict Herewith.

And the President signed the same in the presence of the Senate.

SECOND READING OF HOUSE BILLS

House Bill No. 27. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and Magpie Bounty as Provided for by Sections 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 30; nays, 15; absent and not voting 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Greene, Stutsman	Nelson, Barnes
Brostuen	Gronvold	Nelson, Grand Fks.
Cain	Johnson	Owings
Drew	Kamrath	Stucke
Eastgate	Lemke	Trovatten
Erickson	Lind	Vinje
Fine	Marshall	Watt
Fowler	Matthaei	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kroeber	Peterson
Coffey	Lowe	Strehlow
Crandall	Lynn	Thatcher
Jones	McDonald	Topp
Kolpin	Mutchler	Trout

Absent and not voting:

Messrs.	Messrs.	Messrs.
Dubay	Handley	Thorson
Ettestad		

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Gronvold moved that the vote by which House Bill No. 27 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 40. 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 second time.

ROLL CALL

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.
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Nelson, Grand.Fks.
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Crandall	Kroeber	Strehlow
Drew	Lemke	Stucke
Eastgate	Lind	Thatcher
Erickson	Lowe	Thorson
Fine	Lynn	Topp
Fowler	Marshall	Trout
Fredrickson	Matthaei	Trovatten
Greene, Cavalier	McDonald	Vinje
Greene, Stutsman	McGillie	Wog
Gronvold	Miklethun	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Ettestad	Watt
Dubay	Mutchler	Whelan

So the bill passed and the title was agreed to.

House Bill No. 24. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs, Insurance and Upkeep of Grounds.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 36; nays, 8; absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	McGillie
Braaten	Gronvold	Miklethun

Messrs.	Messrs.	Messrs.
Brostuen	Handley	Nelson, Barnes
Cain	Johnson	Nelson, Grand.Fks.
Coffey	Jones	Owings
Crandall	Kolpin	Peterson
Drew	Lind	Strehlow
Eastgate	Lowe	Thatcher
Erickson	Lynn	Topp
Fowler	Marshall	Trovatten
Fredrickson	Matthaei	Vinje
Greene, Cavalier	McDonald	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fine	Lemke	Trout
Kamrath	Stucke	Wog
Kroeber	Thorson	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Dubay	Mutchler	Whelan
Ettestad	Watt	

So the bill passed and the title was agreed to.

House Bill No. 41. A Bill for an Act Making an Appropriation for the Purpose of Indemnifying Owners of Animals Infected with Bovine Tuberculosis and to Pay Expenses in Connection Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 40; nays, 2; absent and not voting 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Johnson	Miklethun
Brostuen	Jones	Nelson, Barnes
Cain	Kamrath	Nelson, Grand Fks.
Coffey	Kolpin	Owings
Crandall	Kroeber	Peterson
Drew	Lemke	Strehlow
Eastgate	Lind	Stucke
Erickson	Lowe	Thatcher
Fine	Lynn	Topp
Fowler	Marshall	Trout
Fredrickson	Matthaei	Trovatten
Greene, Cavalier	McDonald	Vinje
Gronvold	McGillic	Wog
Handley		

Those voting in the negative were:

Messrs.	Messrs.
Thorson	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Watt
Dubay	Mutchler	Whelan
Ettestad		

So the bill passed and the title was agreed to.

House Bill No. 26. A Bill for an Act Making an Appropriation for the Per Diem, Salaries, and General Expenses of the State Livestock Sanitary Board.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 32; nays, 12; absent and not voting 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Greene, Cavalier	McGillic
Brostuen	Gronvold	Miklethun
Cain	Handley	Nelson, Barnes
Coffey	Johnson	Nelson, Grand.Fks.
Crandall	Lemke	Peterson
Drew	Lind	Strehlow
Eastgate	Lowe	Stucke
Ettestad	Lynn	Topp
Fine	Marshall	Trovatten
Fowler	Matthaei	Vinje
Fredrickson	McDonald	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Dubay	Kolpin	Thorson
Erickson	Kroeber	Trout
Jones	Owings	Wog
Kamrath	Thatcher	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Mutchler	Whelan
Greene, Stutsman	Watt	

So the bill passed and the title was agreed to.

House Bill No. 43. A bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Was read the second time.

ROLL CALL

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.
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Drew	Kolpin	Strehlow
Dubay	Kroeber	Stucke
Eastgate	Lemke	Thatcher
Erickson	Lind	Thorson
Ettestad	Marshall	Topp
Fine	Matthaei	Trout
Fowler	McDonald	Trovatten
Fredrickson	McGillic	Vinje
Greene, Cavalier	Miklethun	Watt
Greene, Stutsman	Mutchler	Young
Gronvold		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Crandall	Whelan	Wog
Lynn		

Absent and not voting:

Messrs.	Messrs.
Bonzer	Lowe

So the bill passed and the title was agreed to.

House Bill No. 42. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Was read the second time.

ROLL CALL

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.
Braaten	Greene, Cavalier	McDonald
Brostuen	Greene, Stutsman	McGillic
Cain	Gronvold	Miklethun
Coffey	Handley	Mutchler
Crandall	Johnson	Owings
Drew	Jones	Peterson
Dubay	Kamrath	Stucke
Eastgate	Kolpin	Thatcher
Ettestad	Lemke	Vinje
Fine	Marshall	Wog
Fredrickson	Matthaei	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fowler	Strehlow	Trovatten
Kroeber	Thorson	Watt
Lynn	Topp	Whelan
Nelson, Barnes	Trout	Young
Nelson, Grand.Fks.		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lind	Lowe
Erickson		

So the bill passed and the title was agreed to.

House Bill No. 212. A Bill for an Act Appropriating Five Thousand Dollars (\$5,000.00) to the State Historical Society for the Purchase of the Site of Old Fort Abraham Lincoln in Morton County, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayés, 27; nays, 20; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Cain	Lynn	Strehlow
Fowler	Marshall	Stucke
Fredrickson	Matthæi	Thatcher
Handley	McDonald	Topp
Johnson	McGillic	Trout
Jones	Miklethun	Trovatten
Lemke	Mutchler	Vinje
Lind	Nelson, Barnes	Whelan
Lowe	Peterson	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Eastgate	Kroeber
Braaten	Ettestad	Nelson, Grand Fks.
Brostuen	Fine	Owings
Coffey	Greene, Cavalier	Thorson
Crandall	Greene, Stutsman	Watt
Drew	Gronvold	Wog
Dubay	Kolpin	

Absent and not voting:

Messrs.	Messrs.
Erickson	Kamrath

So the bill passed and the title was agreed to, and the emergency clause declared lost.

House Bill No. 69. A Bill for an Act Making an Appropriation to Make Up the Deficit in the Fund Known as "The Insurance Tax to Fire Departments" 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 of 1913.

Was read the second time.

ROLL CALL

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.
Braaten	Handley	Nelson, Grand.Fks.
Brostuen	Kolpin	Owings
Cain	Kroeber	Peterson
Coffey	Lemke	Strehlow
Crandall	Lind	Stucke
Drew	Lowe	Thatcher
Eastgate	Lynn	Topp
Erickson	Marshall	Trout
Ettestad	Matthaei	Trovatten
Fine	McDonald	Vinje
Fowler	McGillic	Watt
Fredrickson	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Dubay	Johnson	Jones
Greene, Cavalier		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Thorson	Whelan
Kamrath		

So the bill passed and the title was agreed to, and the emergency clause declared carried.

House Bill No. 28. 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 second time.

ROLL CALL

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.
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lind	Thorson
Erickson	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.
Bonzer	Whelan

So the bill passed and the title was agreed to.

House Bill No. 39. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Barnes
Brostuen	Handley	Nelson, Grand Fks.
Cain	Johnson	Owings
Coffey	Jones	Peterson
Crandall	Kolpin	Strehlow
Drew	Lemke	Stucke
Dubay	Lind	Thatcher
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young

Those voting in the negative were:

Messrs.	Messrs.
Kamrath	Thorson

Absent and not voting:

Messrs.	Messrs.
Bråaten	Kroeber

So the bill passed and the title was agreed to.

House Bill No. 70. A Bill for an Act Making an Appropriation to Pay the Deficit in the Printing Fund of the Department of Insurance of the State of North Dakota.

Was read the second time.

ROLL CALL

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.
Brostuen	Gronvold	Nelson, Grand Fks.
Cain	Handley	Owings
Coffey	Kolpin	Peterson
Crandall	Lemke	Strehlow
Drew	Lind	Stucke
Dubay	Lowe	Thatcher
Eastgate	Lynn	Topp
Erickson	Marshall	Trout
Ettestad	Matthaei	Trovatten
Fine	McDonald	Vinje
Fowler	McGillic	Watt
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Mutchler	Wog
Greene, Stutsman	Nelson, Barnes	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Johnson	Kamrath	Thorson
Jones	Kroeber	

Absent and not voting:

Messrs.	Messrs.
Bonzer	Braaten

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Bonzer moved that House Bill No. 181 be placed at the foot of the calendar.

Which motion prevailed.

Senator Matthaei moved that House Bill No. 220 be placed at the foot of the calendar.

Which motion prevailed.

Senator Fredrickson moved that House Bill No. 58 be placed at the foot of the calendar.

Which motion prevailed.

The President pro tem. called Senator Ettestad to the chair to preside.

SPECIAL ORDER OF BUSINESS

9:00 P. M.

Senator Bonzer moved that House Bill No. 7 be laid over one Legislative day.

Senator Fine moved as a substitute motion that House Bill No. 7 be placed upon second reading and final passage.

Which motion was lost.

The question was on the motion of Senator Bonzer.

Which motion prevailed and House Bill No. 7 was laid over one Legislative day.

House Bill No. 276. A Bill for an Act Relating to Special Election for Removal of County Seats in Certain Counties, and Petition Therefor, Providing for Preliminary Resolutions by the Board of County Commissioners and Publication Thereof, Notice of Election, Election—How Conducted, and County Seat Designated, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Gronvold	Mutchler	

Those voting in the negative were:

Messrs.

Owings

Absent and not voting:

Messrs.

Greene, Stutsman

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

House Bill No. 172. A Bill for an Act Providing for the Establishment of Voting Precincts in All Special School Districts; Requiring Establishment of Polling Places for Each 5000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

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.

Bonzer
Braaten
Brostuen
Cain
Coffey
Crandall
Drew
Dubay
Eastgate
Erickson
Ettestad
Fine
Fowler
Fredrickson
Greene, Cavalier
Gronvold

Messrs.

Handley
Johnson
Jones
Kamrath
Kolpin
Kroeber
Lemke
Lind
Lowe
Lynn
Marshall
McDonald
McGillic
Miklethun
Mutchler

Messrs.

Nelson, Barnes
Nelson, Grand Fks.
Owings
Peterson
Strehlow
Stucke
Thatcher
Thorson
Topp
Trovatten
Vinje
Watt
Whelan
Wog
Young

Absent and not voting:

Messrs.

Greene, Stutsman

Messrs.

Matthaei

Messrs.

Trout

So the bill passed and the title was agreed to.

Senator Eastgate moved that further consideration of House Concurrent Resolution "A-19" be indefinitely postponed.

Which motion prevailed.

House Bill No. 95. A Bill for an Act Legalizing and Validating All Publications and Posting of Tax Sale Notices and Tax Sale Certificates Based Thereon Which Notices Have Been Posted or Published Prior to January 1st, 1935.

Was read the second time.

ROLL CALL

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.
Bonzer	Jones	Peterson
Braaten	Kamrath	Strehlow
Brostuen	Kolpin	Stucke
Coffey	Kroeber	Thatcher
Crandall	Lemke	Thorson
Drew	Lowe	Topp
Eastgate	Marshall	Trout
Ettestad	Matthaei	Trovatten
Fowler	McDonald	Vinje
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Mutchler	Wog
Handley	Nelson, Barnes	Young
Johnson	Owings	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Erickson	Gronvold	Lynn
Fine	Lind	Nelson, Grand Fks.

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	McGillic	Watt
Greene, Stutsman		

Passed:

Messrs.
Dubay

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 5, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 262. A Bill for an Act Temporarily Extending the Time in Which Redemption May Be Made from Tax Sales and Extending the Time in Which Holders of Tax Sales Certificates May Present the Same for Obtaining Tax

Deeds, and Extending the Time in Which Tax Deeds May Be Obtained, and Declaring an Emergency and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 217. A Bill for an Act to Amend and Re-enact Chapter 220, Session Laws of the State of North Dakota for the year 1933, Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Summary Reduction of the Same, Relating to Hearings, and Investigations; and Relating to Valuation and/or Revaluation of Property of Public Utility Companies and Corporations by the Board of Railroad Commissioners; Relating to Payment of Expenses of Such Hearings, and Investigations, and Valuations and/or Revaluations and the Methods of Assessing and Collecting the Same; and Repealing All Acts or Parts of Acts in Conflict Herewith; and Making an Appropriation for the Valuation by Board of Public Commissioners of the Property of the Public Utilities, Subject to the Provisions of Chapter 192 of the Session Laws of 1919, Creating a Revolving Fund, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION "W"

Which the President has signed and your signature is respectfully requested.

Also transmit:

House Bill No. 286. A Bill for an Act to Amend and Re-enact Sections 396b1, 396b2, 396b4, 396b5 and 396b10 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to the Minimum Wage and Hours for Women Workers; Transferring the Duties for the Enforcement of the Said Law From the Workmen's Compensation Bureau to the Department of Agriculture and Labor; Repealing All Acts and Parts of All Acts in Conflict With This Act and Declaring an Emergency.

Also,

House Bill No. 234. A Bill for an Act Relating to Foreclosure of Real Estate Mortgages Held by the State of North Dakota as Security for Investment of Permanent School Funds, Authorizing the Board of University and School Lands to Accept From Record Title Owner Deed of Conveyance of Mortgaged Land in Lieu of Foreclosure, Affect of Such an Deed, Dispensing With Execution and Delivery of Power of Attorney in Conducting Proceedings for the Foreclosure of Such Mortgages, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 363. A Bill for an Act Directing the Board of Administration of the State of North Dakota to Sell at

Public Auction or Private Sale, Automobiles and Automobile Equipment Purchased by the Beer Commissioner of the State of North Dakota; Authorizing Said Board to Demand, Receive and Take Possession of Such Property; Directing Attorney General to Institute Suits or Proceedings at Request of Board of Administration; Permitting Deduction of Costs and Expenses Connected with Said Sale; Providing for Disposition of Balance of the Receipts and Requiring Report to Governor; Repealing Acts in Conflict and Declaring an Emergency.

Also,

House Bill No. 59. 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, North Dakota.

Also,

House Bill No. 57. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repair and Equipment of the State School of Science at Wahpeton, North Dakota.

Also,

House Bill No. 55. 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,

House Bill No. 62. 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, North Dakota.

Also,

House Bill No. 24. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs, Insurance and Upkeep of Grounds.

Also,

House Bill No. 41. A Bill for an Act Making an Appropriation for the Purpose of Indemnifying Owners of Animals Infected with Bovine Tuberculosis and to Pay Expenses in Connection Therewith.

Also,

House Bill No. 26. A Bill for an Act Making an Appropriation for the Per Diem, Salaries, and General Expenses of the State Livestock Sanitary Board.

Also,

House Bill No. 43. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the

Maintenance and Operation of the Game and Fish Department.

Also,

House Bill No. 42. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Also,

House Bill No. 69. A Bill for an Act Making an Appropriation to Make Up the Deficit in the Fund Known as "The Insurance Tax to Fire Departments" 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 of 1913.

Also,

House Bill No. 28. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, and General Expenses of the State Historical Society.

Also,

House Bill No. 70. A Bill for an Act Making an Appropriation to Pay the Deficit in the Printing Fund of the Department of Insurance of the State of North Dakota.

Also,

House Bill No. 39. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

Which the Senate has passed unchanged.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Bonzer asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Bonzer moved that a committee of three be appointed to escort Governor Welford to the rostrum, he having just entered the Senate Chamber.

Which motion prevailed and Senators Bonzer, Strehlow and Gronvold were appointed on such committee.

SECOND READING OF HOUSE BILLS

House Bill No. 86. A Bill for an Act Prviding for the Organization of Credit Unions, the Incorporation Thereof, the Internal Regulation and Management of Same, Defining Their Powers and Duties, Fixing the Number of Officers

and Committees, Defining Their Powers, Tenure, Compensation and Duties, Providing for the Adoption and Amendment of By-Laws, Prohibiting the Use of the Term "Credit Unions" by Other Persons, Firms, Associations or Corporations, Defining Membership Therein, Regulating the Rights of Borrowers, Interest on Loans, Capital, Reserves, Loans, Security, Dividends, Fines, Expulsion and Withdrawal of Members, Dissolution, Change of Place of Business, Taxation of Property, Providing for Reports and Examinations, and Placing the Same Under the Supervision of the State Banking Board.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 36; nays, 8; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	McDonald
Brostuen	Gronvold	Miklethun
Cain	Handley	Mutchler
Drew	Johnson	Nelson, Barnes
Dubay	Jones	Nelson, Grand Fks.
Eastgate	Kamrath	Owings
Erickson	Kolpin	Peterson
Ettestad	Kroeber	Thatcher
Fine	Lemke	Thorson
Fowler	Lind	Vinje
Fredrickson	Marshall	Watt
Greene, Cavalier	Matthaei	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Coffey	Lynn	Trovatten
Crandall	Strehlow	Young
Lowe	Topp	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Braaten	Stucke	Whelan
McGillic	Trout	

So the bill passed and the title was agreed to.

House Bill No. 256. A Bill for an Act Authorizing the County Commissioners to Purchase and Condemn Right of Ways.

Was read the second time.

ROLL CALL

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.
Braaten	Gronvold	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Lenke	Stucke
Dubay	Lind	Thatcher
Eastgate	Lowe	Thorson
Erickson	Lynn	Topp
Ettestad	Marshall	Trout
Fine	Matthaei	Trovatten
Fowler	McDonald	Vinje
Fredrickson	McGillic	Watt
Greene, Cavalier	Miklethun	Whelan
Greene, Stutsman	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Kroeber	Wog
Handley		

So the bill passed and the title was agreed to.

Senator Handley moved that House Bill No. 323 be amended as follows:

On page 3, line 35, between the words "found and in" insert the following language: "between sunset and sunrise." In the same line correct the spelling of the word "frequented."

In line 37, page 3, strike out everything after the word "found" up to and including the word "prohibited" in line 38.

Which motion prevailed.

Senator Johnson moved that House Bill No. 323 be amended as follows:

In line 12, page 2, strike out the word "and" and after the word "kill," insert the words "and transport."

Which motion prevailed.

Senator Fine moved that House Bill No. 323 be amended as follows:

In line 11, page 4, strike out the letter "s" on the word "Hill."

Which motion prevailed.

Senator Lowe moved that House Bill No. 323 be amended as follows:

In line 21, page 2, correct the spelling of the word "device."

Which motion prevailed.

Senator Handley moved that the rules be suspended and that House Bill No. 323 as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 323. A Bill for an Act to Amend and Re-enact Sub-section 1 of Section 20, Session Laws of 1931 Relating to Game and Fish.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Eastgate	Lowe	Thorson
Erickson	Lynn	Topp
Ettestad	Marshall	Trout
Fine	Matthaei	Trovatten
Fowler	McDonald	Vinje
Fredrickson	McGillic	Watt
Greene, Cavalier	Miklethun	Whelan
Greene, Stutsman	Mutchler	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Dubay	Lind	Young
Jones		

So the bill passed and the title was agreed to.

President pro tem. Marshall resumed the chair.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 79. A Bill for an Act to Provide for Fraud or Fraudulent Concealment of Facts Constituting a Cause of Action, to Postpone or Toll the Running of the Statute of Limitations.

Also,

House Bill No. 61. 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,

House Bill No. 365. A Bill for an Act Providing That Teachers Who Served in the United States Armed Forces During the World War Shall Be Entitled to Have the Time of Said Service Counted "Teaching Service" Under the Teachers' Insurance and Retirement Lay Upon Payment of the Assessments for the Time of Said Service; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 360. A Bill for an Act Giving Preference to North Dakota Bidders and Sellers; Defining Such North Dakota Bidders and Sellers, and Prescribing the Nature of Preference to Be Given.

Also,

House Bill No. 359. A Bill for an Act to Authorize, Direct and Empower the State Board of Administration to Provide a Room in the State Capitol Office Building for the Exclusive Use of Representatives of Accredited Press Associations and Daily and Other Newspapers.

Also,

House Bill No. 81. A Bill for an Act Making an Emergency Appropriation to Provide for the Payment of the Salaries of Assistant Dairy Commissioners, Official Tester, Clerkhire, Office Supplies, Printing, Postage, Travel Expenses, Auto Exchange and Miscellaneous Expenses for the Office of Dairy Commissioner, and Declaring an Emergency.

Also,

House Bill No. 111. A Bill for an Act Entitled an Act to Empower the Governing Boards of Municipalities to Compromise and Fund Judgment Liabilities; to Issue Bonds in Satisfaction of Judgments Reduced in Amount by Compromise and Provide for the Form, Execution, Registration and Payment of the Same; and to Invest Municipalities with an Interest in Uncollected Special Assessments in Certain Cases.

Also,

House Bill No. 133. A Bill for an Act Authorizing Judges of the District Court to Demand the Attorney General to Perform Certain Duties Relating to Criminal Matters, Providing for Payment of Expenses in Connection Therewith, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 154. A Bill for an Act Requiring Deduction of Delinquent Personal Property Taxes From Salaries

or Other Compensation of Elective and Appointive Officers, Agents and Employees of the State of North Dakota, All Bureaus, Boards, Commissions and Departments, and All Persons receiving Public Funds.

Also,

House Bill No. 182. A Bill for an Act to Amend and Re-enact Section 3999, Supplement to the Compiled Laws of 1913.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 188. A Bill for an Act Relating to the Granting of Preventative Relief, Prescribing Conditions Thereof and Provisions Therefor; and Repealing Sections 7214a1, 7214a2 and 7214a3 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 253. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 199 Session Laws of 1933 Relating to the Disposition of Fees and Payment of Expenses of the North Dakota Regulatory Department.

Also,

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5, of Chapter 235 of the Session Laws of 1929, as Amended by Chapter 297 of the Session Laws of 1931, Relating to Tax Levy, Limitations of Cities.

Also,

House Bill No. 265. A Bill for an Act to Cancel All Interest and Penalty, Levied and Assessed Against Delinquent Real Estate Taxes and Providing for Redemption of Real Estate Sold or Forfeited to the County for the Years 1933, and All Prior Years, and Still Held by the County, Without Paying Interest or Penalty, if Said Taxes Are Paid During the Year 1935; Repealing All Acts in Conflict Herewith.

Also,

House Bill No. 289. A Bill for an Act to Amend and Re-enact Subdivision 4 of Section 4 and Sections 13 and 14 of Chapter 97 of the Session Laws of 1933, Relating to the Administration of County Poor Relief.

Also,

House Bill No. 300. A Bill for an Act to Amend and Re-enact Section 4809b6, of the Supplement to the 1913 Compiled

Laws of North Dakota, Providing Enlarged Powers to Co-operative Marketing Associations in Connection with the Handling of Co-operative Products.

Also,

House Bill No. 328. A Bill for an Act for the Transfer of License Tags Required for Trucks Engaged in Commercial Freighting, as Provided by Sub-division C of Section 5 of Chapter 186 of the Session Laws of 1931, to Another Truck Owned by the Same License Holder, Upon the Sale or Destruction of Such Commercial Freighting Truck, so Licensed; Prohibiting Automobile Dealers from Permitting the Use of A Dealers License by Another Dealer and Providing Penalty Therefor.

Also,

House Bill No. 347. A Bill for an Act Relating to Relief and Rehabilitation Work Carried on in North Dakota by the Federal Emergency Relief Administration Through the North Dakota Rural Rehabilitation Corporation; Exempting From Taxation Moneys and/or Credits Coming Into the Possession of or Belonging to the North Dakota Rural Rehabilitation Corporation as a Result of Any Federal Grant or Gift for Relief or Rehabilitation Purposes, and Authorizing the State Treasurer, in Event of Dissolution of the North Dakota Rural Rehabilitation Corporation, to Accept Funds and Property on Hand or Belonging to the Corporation at the Time of Dissolution.

Also,

HOUSE CONCURRENT RESOLUTION "A-13"

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to return herewith the following bills:

SENATE CONCURRENT RESOLUTION NO. "A-d"

Also,

Senate Bill No. 209. A Bill for an Act to Amend and Re-enact Sub-division 6 of Section 17 of Chapter 196, Session Laws of North Dakota for the Year 1927, Authorizing the Private Sale of Bonds to the United States of America or Any Agency or Instrumentality Thereof Without Public Advertisement, and Declaring an Emergency.

Also,

Senate Bill No. 219. A Bill for an Act Providing That No Fee Shall Be Charged or Collected for the Recording or Filing of Any Document Required by the United States or

the State of North Dakota for Any Water and/or Wild-life Conservation Project; Repealing All Acts or Parts of Acts in Conflict Herewith, Declaring an Emergency.

Also,

Senate Bill No. 221. A Bill for an Act to Amend and Re-enact Section 3583 of the Compiled Laws of North Dakota for 1913, as Amended by Section 2 of Chapter 167 of the Session Laws of the State of North Dakota for 1933, Relating to Terms of Office of Aldermen, and Declaring an Emergency.

Also,

Senate Bill No. 239. A Bill for an Act Authorizing Any Board or Officer Having the Control or Management of Any Real Estate Belonging to or Controlled by the State of North Dakota or Any of Its Political Subdivisions to Enter Into Agreements with the United States of America for the Improvement of Said Real Estate by the Establishment and Maintenance of Shelterbelts of Trees and Other Plants and Necessary Protective Structures and Works Thereon, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 242. A Bill for an Act to Amend and Re-enact Section 11119, Compiled Laws of 1913, and to Permit the Deposit of Money or Bonds as Bail in Criminal Cases.

Also,

Senate Bill No. 249. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend the Present Sewerage System of the State Penitentiary to Connect With the City of Bismarck System of Sewerage, Providing for the Use of Prison Labor, or to Make Provision for its Construction by Governmental Agency; Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 283. A Bill for an Act to Amend and Re-enact Section 9606a1 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Declaring it Unlawful to Place Certain Children in Almshouses or Other Institutions Without the Consent of the Board of Administration, With Certain Exceptions, Prohibiting Placing of Certain Children in the State Training School, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 286. A Bill for an Act Validating Payments Heretofore Made by the State or Municipalities for Payments of Workmen's Compensation Insurance; Authorizing Municipalities to Pay Such Premiums With Any Moneys Except Special Levies and to Draw Special Warrants for Premiums Where Funds Are Unavailable and Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 297. A Bill for an Act Providing for the Cancellation of Record of Certain Chattel Mortgages and Certain Written Agreements Relating to Personal Property, by the Register of Deeds, for Cancelling Certain Bills of Sale, Requiring Assignments of Chattel Mortgages to Be Filed Before the Filing of Affidavit of Renewal or Satisfaction, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 326. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 172, of the Session Laws of 1929, Which Authorizes and Empowers Cities, Towns or Villages to Purchase, Erect, Operate and Maintain or Lease Electric Light and Power Plant, Electric Distribution System and Transmission Line, Telephone Plant or Parts of Systems or Lines or Waterworks, Mains, Distribution System and/or Equipment or Appliances Connected Therewith as Provided in the Act, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION NO. "A-b"

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Subsection 2 of Section 2 and Section 5 of Chapter 179 of the Session Laws of North Dakota, 1933, Authorizing the Execution of a Mortgage or a Deed of Trust to Secure Mortgage Bonds and Making Such Bonds Negotiable.

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Chapter 163 of the Session Laws of 1933; Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles, That May Be Driven and Moved Upon the Highways of the State of North Dakota, and Prescribing Penalty for Violation Thereof.

Also,

Senate Bill No. 131. A Bill for an Act Authorizing and Empowering the Governor to Accept a Conveyance in Trust of the Lands Comprising the International Peace Garden to the State of North Dakota; Setting Forth the Terms and Conditions of the Trust; Vesting the Custody, Control, Possession, Supervision, Management and Operation of Such Lands in the Board of Directors of the International Peace Garden, Inc.; Vesting in the State Historical Society General Supervision of Such Lands, and Expressly Empowering the State Historical Society to Co-operate in the Establishment, Promotion and Development of the International Peace Garden for the Purpose of Furthering International

Peace Among the Nations of the World; Providing for the Duration of Such Trust, and Repealing All Acts, or Parts of Acts, in Conflict Herewith, and Declaring That an Emergency Exists for the Immediate Enactment of This Act.

Also,

Senate Bill No. 148. A Bill for an Act to Amend and Re-enact Section 7731, Supplement to the Compiled Laws of 1913, Relating to Exemptions of Personal Property from Attachment, Levy and Sale on Execution, and Defining "Head of Family" as Defined by Section 5626 of the Compiled Laws of 1913, and Exemptions of a Single Person, and Declaring an Emergency.

Also,

Senate Bill No. 218. A Bill for an Act Providing That the State and the Several Counties of the State Are Authorized to Acquire by Purchase, Exchange, Gift, Condemnation or Otherwise the Title to Any Land Within the Same Political Subdivision for the Purpose of Establishing Any Public Park or Recreational Area, or for the Purpose of Constructing, Maintaining and Operating Any Water and/or Wildlife Conservation Project; Providing That All Lands to Be Purchased or Exchanged Under Authority of This Act Shall Be Appraised by the Existing Appraisal Agencies of the Parties to the Contract; Providing That Where No Such Appraisal Agency Exists the County Board of Commissioners Shall Determine the Value Thereof, and Providing That No Land Shall Be Purchased for More Than the Appraised Value, nor Shall Any Lands Owned by the State or the Several Counties Be Exchanged Except for Lands of an Equal Appraised Value; Providing That the State of North Dakota Shall Reserve All Mineral Rights to All State Lands Transferred Under Authority of This Act; Providing a Saving Clause; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 241. A Bill for an Act to Provide for the Conditional Examination of Witnesses Held to Appear Before a Grand Jury or Court When Such Witnesses Are Unable to Give the Security Required by the Court.

Also,

Senate Bill No. 277. A Bill for an Act Authorizing the Board of Administration to Construct, Either Independently of or Jointly With the City of Grafton, a Sewage Disposal Plant for the Grafton State School and Making an Appropriation Therefor.

Also,

Senate Bill No. 133. A Bill for an Act Authorizing Banking Institutions to Issue and Sell Capital Notes or Debentures and Preferred Stock; Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which the Same May Be Issued and Sold.

Also,

Senate Bill No. 137. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 89 of the Session Laws of the State of North Dakota for the Year 1933, Relating to Prohibition Against Corporation Farming, and Declaring an Emergency.

Also,

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931, Relating to Capital Stock of Banks.

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 262. A Bill for an Act to Amend and Re-enact Section 3596 of the Compiled Laws of 1913, Relating to Procedure in Passing Ordinances in Cities Under the Mayor Council Form of Government.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Eastgate	Lind	Thorson
Erickson	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young

Absent and not voting:

Messrs.

Dubay

So the bill passed and the title was agreed to.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to inform you that the

House requests the return of Senate Bill No. 226.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, on Senate Bill No. 138, Representatives Fedje, Dahl of Emmons and Schantz.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House Bill No. 313. A Bill for an Act Authorizing and Directing the Register of Deeds in the Various Counties to Remove From Their Files and Destroy Outlawed Seed Liens, Labor Liens, Stallion Liens, Chattel Mortgages and Threshing Liens Filed Prior to January 1, 1920, and by Reason of Failure of Renewal as by Statute Provided Have Become Outlawed; Requiring Records to Be Kept.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Owings
Brostuen	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	McGillic	Vinje
Fredrickson	Miklethun	Watt
Greene, Cavalier	Mutchler	Whelan
Greene, Stutsman	Nelson, Barnes	Wog
Handley	Nelson, Grand Fks.	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Fowler	Gronvold

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Matthaei	McDonald
Jones		

So the bill passed and the title was agreed to.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Erickson moved that the request of the House be granted and Senate Bill No. 226 be returned to the House.

Which motion prevailed.

Senator Bonzer moved that the Senate do not concur in the House amendment to Senate Bill No. 57, and that a Conference Committee be appointed.

Which motion prevailed.

Senator Fowler moved that the Message of the House returning Senate Bill No. 227 be returned to the House for the purpose of correcting the Message.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 5, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 19.

Also return herewith:

Senate Bill No. 226, which the House has requested.

Also return herewith:

Senate Bill No. 227 for the reason that the Senate requests that the Message of the Chief Clerk be corrected.

Very respectfully,

F. E. TUNELL,
Secretary.

REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 19 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 19. 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 Senate do concur in the House amendments.

For the Senate:

WM. WATT,
E. F. MUTCHLER,
T. E. WHELAN,

For the House:

R. R. SCHOLL,
CHAS. H. BLACK,
MATH DAHL

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Whelan moved that the rules be suspended and that Senate Bill No. 19, as amended, be considered properly re-encrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 19. 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 second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Owings
Brostuen	Johnson	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Trout
Ettestad	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	Matthaei	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Kamrath	Nelson, Grand Fks.
Erickson	McDonald	Topp
Jones	McGillic	Trovatten

Passed:

Messrs.
Fine

So the bill passed and the title was agreed to.

Senator Bonzer moved that House Bill No. 122 be placed at the foot of the calendar immediately following House Bill No. 181.

Which motion prevailed.

House Bill No. 76. A Bill for an Act to Amend and Re-enact Chapter 264 of the Session Laws of 1933, Being an Act to Suspend the Operation of Section 2202 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 199 of the Session Laws of 1925, (Section 2202 of the 1925 Supplement to the Compiled Laws

of 1913) and as Amended by Chapter 266 of the Session Laws of 1927, Relating to Tax Deeds to Be Issued to the County Upon the Expiration of the Period of Redemption, Upon Due Notice; Tax Deeds to the County and Sale of Property So Acquired Until December 31st, 1935, Further Extend the Time of Suspension to December 31st, 1937; and Suspending the Operation of All Acts or Parts of Acts in Conflict Herewith and Declare an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 34; nays, 2; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Owings
Braaten	Handley	Strehlow
Brøstuen	Kolpin	Stucke
Coffey	Kroeber	Thatcher
Crandall	Lemke	Thorson
Drew	Lind	Trout
Dubay	Lowe	Vinje
Ettestad	Marshall	Watt
Fowler	Mikiethun	Whelan
Fredrickson	Mutchler	Wog
Greene, Cavalier	Nelson, Barnes	Young
Greene, Stutsman		

Those voting in the negative were:

Messrs.	Messrs.
Eastgate	Lynn

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Kamrath	Nelson, Grand Fks.
Erickson	Matthaei	Peterson
Fine	McDonald	Topp
Johnson	McGillic	Trovatten
Jones		

So the bill passed and the title was agreed to.

The President announced the appointment of Senators Drew, Vinje and Kolpin as the Senate Conference Committee on Senate Bill No. 57.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 5, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 57 and the President has appointed as a Conference Committee, Senators Drew, Vinje and Kolpin.

Very respectfully,
F. E. TUNELL,
Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 5, 1935.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 227. A Bill for an Act to Amend and Re-enact Chapter 7429 of the 1913 Compiled Laws of the State of North Dakota, Relating to Service of Summons by Publication.

Which the House has passed unchanged.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

SECOND READING OF HOUSE BILLS

House Bill No. 48. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes Assessed and Levied for the Year 1933, and All Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partial Cancellation of the Original Amount of Such Taxes.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 13; nays, 27; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Matthaei
Cain	Kamrath	Nelson, Grand Fks
Greene, Cavalier	Lemke	Owings
Greene, Stutsman	Marshall	Stucke
Gronvold		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Fowler	Peterson
Brostuen	Fredrickson	Strehlow
Coffey	Johnson	Thatcher
Crandall	Kolpin	Thorson
Drew	Kroeber	Topp
Dubay	Lind	Trovatten
Eastgate	Lynn	Vinje
Erickson	Mutchler	Watt
Ettestad	Nelson, Barnes	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fine	McDonald	Trout
Jones	McGillic	Whelan
Lowe	Miklethun	Young

So the bill was lost.

Senator Matthaei asked unanimous consent to be on the Sixth Order of Business.

Which motion prevailed.

REPORT OF SELECT COMMITTEE

Your Conference Committee on Senate Bill No. 138; considered the House amendments and suggest the following amendments:

Instead of the amendment by the House on page 2, Section 1, line 25 of the printed bill, after the word "Dakota," strike out the period and insert the following language:

"nor to any policy or bond of any Mutual Company on which no commission shall be paid to any local agent."

In section 2, page 3, line 6 of the printed bill, after the word "issued," change the period to a comma and insert the following language:

"except as otherwise provided by law."

Re-write Section 8, on page 5, of the printed bill to read as follows:

"Section 8. The term 'Local Agent' as used herein, shall be construed to mean a resident of this state licensed to countersign policies. This act shall not apply to any General Agent, Insurance Broker, State Agent, Special Agent, Traveling Representative or salaried employee of any insurance company; provided, however, that the company shall pay the usual brokerage commission to 'local agent' as heretofore specified."

For the Senate:

W. E. MATTHAEI,
O. E. ERICKSON,
OTTO TOPP

For the House:

BEN FEDJE,
MATH DAHL,
WILLIAM M. SCHANTZ

Senator Matthaei moved that the report of the Conference Committee be adopted, which motion prevailed and the report was adopted.

Senator Matthaei moved that the rules be suspended and that Senate Bill No. 138, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 138. A Bill for an Act Providing That Surety and Insurance Companies Other Than Life Insurance Companies, Shall Do Business in This State Only Through Duly Licensed Resident Agents, Regulating the Practice of Such Resident Agents, Providing That the Commissioner of Insurance Shall Have the Power to Refuse, Suspend or Revoke Licenses of Such Resident Agents, Authorizing the Commissioner of Insurance to Examine the Records of Surety or

Insurance Companies, to Collect Premium Taxes on Surety or Insurance Companies That Have Transacted Business Within the State Without Authority, Providing Penalties for the Violations Thereof, and Repealing Sections 4961, 4962, 4963 and 4964 of the Compiled Laws of North Dakota for 1913 and Chapter 133, of the Session Laws of North Dakota for 1933.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand Fks.
Brostuen	Johnson	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lind	Thorson
Erickson	Lynn	Topp
Ettestad	Marshall	Trovatten
Fowler	Matthaei	Vinje
Fredrickson	McGillic	Watt
Greene, Cavalier	Miklethun	Whelan
Greene, Stutsman	Mutchler	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Lowe	Trout
Fine	McDonald	Young
Jones		

So the bill passed and the title was agreed to.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 5, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 138.

Very respectfully,

F. E. TUNELL,
Secretary.

House Bill No. 325. A Bill for an Act to Restore the Motor Vehicle Registration Fund to the Highway Department.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Handley	Nelson, Grand F'ks.
Brostuen	Johnson	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Erickson	Lind	Thorson
Ettestad	Lynn	Topp
Fine	Marshall	Trovatten
Fowler	McGillic	Vinje
Fredrickson	Miklethun	Watt
Greene, Cavalier	Mutchler	Wog
Greene, Stutsman		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Lowe	Trout
Eastgate	Matthaei	Whelan
Jones	McDonald	Young

So the bill passed and the title was agreed to.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

B. J. Wolf, Lansford; T. A. Lindseth, James Lysne, Silva; Hans P. Moen, Alfred Thorson, Balta; Martin Thompson, Albert Jacobson, Alvin Hendrickson and Wm. Grill of Coteau.

Senator Bonzer moved that the Senate recess until 10:30 o'clock A. M.

Which motion prevailed.

The Senate stood recessed.

F. E. TUNELL,
Secretary.

FIFTY-SEVENTH DAY AFTER RECESS AND THE
FIFTY-EIGHTH DAY

Senate Chamber,
Bismarck, North Dakota,
March 6, 1935.

The Senate convened pursuant to recess, President pro tem. Marshall presiding.

Senator Bonzer moved that the vote by which a Conference Committee was appointed for Senate Bill No. 57 be reconsidered.

Which motion prevailed.

Senator Bonzer moved that the Conference Committee on Senate Bill No. 57 be discharged.

Which motion prevailed.

Senator Bonzer moved that the Senate do concur in the House amendment to Senate Bill No. 57.

Which motion prevailed.

Senator Bonzer moved that the rules be suspended and that Senate Bill No. 57, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 57. A Bill for an Act to Amend and Re-enact Chapter 185 of Session Laws of 1929 and Section 3 of Chapter 211, Session Laws of 1927, Relating to the Regulation of the Practice of Pharmacy, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 42; nays, 3; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Mutchler
Braaten	Jones	Nelson, Barnes
Brostuen	Kamrath	Nelson, Grand Fks.
Cain	Kolpin	Owings
Coffey	Kroeber	Peterson
Crandall	Lemke	Strehlow
Drew	Lind	Stucke
Eastgate	Lowe	Thatcher
Fowler	Lynn	Thorson
Fredrickson	Marshall	Trout
Greene, Cavalier	Matthaei	Trovatten
Greene, Stutsman	McDonald	Vinje
Gronvold	McGillic	Wog
Handley	Miklethun	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Dubay	Topp	Watt

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Fine	Whelan
Ettestad		

So the bill passed and the title was agreed to.

Senator Bonzer moved that the vote by which Senate Bill No. 57 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

REPORT OF SELECT COMMITTEE

Mr. President: Your Conference Committee appointed to confer with a like committee from the House on House Bill No. 44, beg leave to report:

That we have agreed to the following amendments to the engrossed bill:

Item 2—Clerkhire	\$69,000
Item 6—Printing	4,000
Item 7—Miscellaneous	7,000
Item 8—Travel Expense	7,000

That the totals in line 3 and line 21 of Section 1 to read \$127,940 in each place.

House:

O. C. OLSON,
NELS P. NOBEN,
W. BAUER.

Senate:

W. S. HANDLEY,
C. W. FINE,
ALBERT DUBAY.

Senator Fine moved the report be adopted and the committee be discharged.

Senator Watt moved as a substitute motion that the report of the Conference Committee be not accepted and that a new Conference Committee be appointed on House Bill No. 44.

Which motion was lost.

The question was on the motion of Senator Fine that the Conference Committee report be adopted and the committee be discharged.

Which motion prevailed and the report was adopted.

Senator Handley moved that the rules be suspended and that House Bill No. 44, as amended, be placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 44. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Was read the second time.

ROLL CALL

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.
Bonzer	Fredrickson	McDonald
Braaten	Greene, Cavalier	Miklethun
Brostuen	Greene, Stutsman	Mutchler
Cain	Handley	Owings
Coffey	Johnson	Peterson
Crandall	Jones	Stucke
Drew	Kolpin	Thatcher
Dubay	Kroeber	Thorson
Erickson	Lemke	Vinje
Ettestad	Lind	Wog
Fine	Marshall	Young
Fowler	Matthaei	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Eastgate	Nelson, Barnes	Trout
Gronvold	Nelson, Grand Fks.	Trovatten
Lynn	Strehlow	Watt
McGillie	Topp	Whelan

Absent and not voting:

Messrs.	Messrs.
Kamrath	Lowe

So the bill passed and the title was agreed to.

Senator Handley moved that the vote by which House Bill No. 44 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Watt: "I am going to vote 'no' on this appropriation bill. It is very seldom that I ever do that, but I feel this department is taking money that rightfully belongs to the widows and orphans, and spending it where it should not be spent, and therefore, Mr. President, I vote 'no'."

Senator Matthaei asked unanimous consent to be on the Tenth Order of Business.

Which request was granted.

Senator Matthaei moved that a Conference Committee be appointed to meet with a like committee from the House on House Bill No. 217.

Which motion prevailed.

The President announced the appointment of Senators Lynn, Greene of Stutsman and Nelson of Grand Forks as the Senate Conference Committee on House Bill No. 217.

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 resolutions:

SENATE RESOLUTION NO. H

A Resolution Deprecating Lobby Against Sales Tax

Also,

SENATE CONCURRENT RESOLUTION NO. A-i

A Concurrent Resolution Requesting That the Farmers of North Dakota be Permitted to Choose for Themselves Whether or Not They Shall Be Required to Buy Expensive Seed and Run the Risk of Crop Failure, and Requesting That They Be Released From Their Minimum Seeding Requirements in Order to Participate in the Benefits of the Wheat Allotment for 1935.

Also,

SENATE CONCURRENT RESOLUTION NO. X

A Concurrent Resolution Endorsing Proposed Shelterbelt Project.

Also,

SENATE CONCURRENT RESOLUTION NO. A-h

A Concurrent Resolution Petitioning Congress to Pass Laws and Provide Rules and Regulations to Place an Embargo On Flax, Wheat, Hogs, Cattle and Sheep, and Upon Pork, Beef and Mutton Products Until Such Time as the Prices of Said Grains, Livestock and Meat Products Shall Cover the Cost of Production, and Further Petitioning That the Law Now Permitting Wheat to be Milled in Bond be Repealed.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed and the report was adopted.

REPORT OF STANDING COMMITTEES

The Committee on State Affairs made the following report:

Mr. President: Your Committee on State Affairs to whom was referred.

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 6 of the Initiated Measure Approved by the People June 30, 1926, Imposing a Tax Upon the Sale of Motor Vehicle Fuel, as Last Amended by Chapter 189 of the Session Laws of 1931, Providing for the Refund in Certain Cases of the Motor Vehicle Fuel Tax Paid and Procedure to Be Followed to Obtain Such Refund; Limiting Time Within Which Application for Refund May Be Made and Allowed; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be indefinitely postponed.

A. F. BONZER, Jr.
Chairman.

Senator Bonzer moved that the report be adopted, which motion prevailed and the report was adopted.

The Committee on Livestock made the following report:

Mr. President: Your Committee on Livesock to whom was referred:

House Bill No. 164. A Bill for an Act Creating Official Board to Be Known as "North Dakota Poultry Improvement Board" for the Purpose of Improving Poultry Breeding, Control and Eradication of Communicable Poultry Diseases, Authorizing Board to Formulate Plans, to Prescribe, Adopt and Enforce Rules and Regulations for Inspection, Testing and Certifying Poultry Hatcheries and Poultry Breeding

Flocks for Breed Improvement in Accordance With Federal Regulations, Authorizing State Livestock Sanitary Board to Prescribe, Adopt and Enforce Rules and Regulations Testing, Approving, and Passing, as Free From Certain Diseases, Poultry Breeding Flocks, Prescribing License Fees and Fees for Service, Providing for Funds to Administer and Enforce This Act, and Fixing Penalties for Violations.

Have had the same under consideration and return the same without recommendation.

J. E. EASTGATE,
Chairman.

Senator Eastgate moved that House Bill No. 164 be indefinitely postponed.

Which motion was lost.

Senator Fine moved that House Bill No. 164 be placed upon the calendar.

Which motion prevailed.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

March 5, 1935.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 128. A Bill for an Act to Promote the Objects of the Act of Congress of the United States Entitled, "National Housing Act," approved June 27, 1934, and Acts Amendatory Thereof or Supplemental Thereto, by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, and Insurance Companies, to Make Loans Pursuant to Title I and II of the National Housing Act, and by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Sub-divisions, and Institutions and Agencies Thereof, and All Other Persons, Associations and Corporations, Subject to the Laws of This State, to Invest in Mortgages Insured, and in Debentures Issued, by the Federal Housing Administrator, and to Invest in Securities of National Mortgage Associations or Similar National Mortgage Credit Institutions Now or Hereafter Organized Under Title III of the National Housing Act, and by Excepting Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Sub-divisions, and Institutions and Agencies There-

of, and All Other Persons, and Associations, Subject to the Laws of This State from the Application of Laws of This State Requiring Security Upon Which Loans or Investments May Be Made, or Limiting Making of Loans to Shareholders or Members of the Lender, or Prescribing the Nature, Amount or Form of Such Security, or Limiting or Prescribing the Interest Rates Upon Loans or Investments, or the Period for Which Loans or Investments May Be Made, Provided Such Loans, Securities or Investments Are Insured by the Federal Housing Administrator, and Providing for Invalidity, and Declaring an Emergency to Exist.

Also,

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith and Making the Same an Emergency Measure.

Very truly yours,

WALTER WELFORD,
Governor.

The Committee on Livestock made the following report:

Mr. President: Your Committee on Livestock to whom was referred:

House Bill No. 112. A Bill for an Act Regulating the Purchase, Use, Administering and Handling of Hog Cholera Virus, and Providing Penalties Therefor.

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.

The President pro tem. called Senator Cain to the chair to preside.

Senator Young moved as a substitute motion that House Bill No. 112 do pass.

Which motion prevailed.

The Committee on Livestock made the following report:

Mr. President: Your Committee on Livestock to whom was referred:

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 2761 of the Compiled Laws of the State of

North Dakota for 1913 as Amended by Chapter 64, Session Laws of 1915, Prohibiting the Sale of Purebred Cattle or Cattle Represented to Be Purebred, for any Other Purpose Except Slaughter, Unless Accompanied by a Certificate of Health, and Providing a Penalty 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.

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 37. A Bill for an Act Making an Appropriation to the Board of Auditors for the Purpose of Carrying out the Provisions of Section 369 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 226, Laws of 1915, and as Amended and Re-enacted by the Initiated Law Approved November 2, 1920, and as Provided for in Chapter 143, Laws of 1923, the Same Being Sections 369 and 369b of the Supplement to the 1913 Compiled Laws of North Dakota, and as Amended and Re-enacted by Chapter 186, Laws of 1933.

Have had the same under consideration and recommend that the same be amended as follows:

In line 3, of the engrossed bill strike out the figures "\$27,500.00," and insert in lieu thereof the figures "\$35,000.00."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

A Majority of the Committee on Appropriations made the following report:

Mr. President: A majority of your Committee on Appropriations to whom was referred:

House Bill No. 130. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of Mileage, Per Diem and Other Incidental Expenses in Connection With the Special Session of the Legislature Convened on July 19, 1934.

Have had the same under consideration and recommend that the same be indefinitely postponed.

F. T. GRONVOLD,
WM. WATT,
W. E. MATTHAEI,
J. E. EASTGATE,
A. A. TROVATTEN,
JOHN L. MIKLETHUN,
WM. J. LOWE,
L. O. FREDRICKSON,
Chairman.

A Minority of the Committee on Appropriations made the following report:

Mr. President: A Minority of your Committee on Appropriations to whom was referred:

House Bill No. 130. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of Mileage, Per Diem and Other Incidental Expenses in Connection With the Special Session of the Legislature Convened on July 19, 1934.

Have had the same under consideration and recommend that the same do pass.

WM. A. THATCHER,
A. S. MARSHALL,
E. C. STUCKE,
O. E. ERICKSON,
W. S. HANDLEY,
B. W. LEMKE,
ED. GREENE.

Senator Fredrickson moved that the report of the Majority be adopted.

Senator Bonzer moved as a substitute motion that the word "Minority" be substituted for the word "Majority."

Senator Bonzer demanded a Roll Call.

A Roll Call was granted.

Senator Johnson moved as a substitute motion that the Committee report on House Bill No. 130 be amended as follows:

Strike out the figure as it now appears and place in lieu thereof the figure \$2,400.

Which motion was not seconded.

Senator Lynn moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

FIFTY-EIGHTH DAY

Senate Chamber,
Bismarck, North Dakota,
March 6, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. F. G. Norris.

Roll call: All Senators were present.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 6, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 338. A Bill for an Act Creating a State Board of Public Welfare, Defining its Powers and Duties; Permitting Appointment of Executive Director; Hold Office at Pleasure of Board; Establishing the State Welfare Fund; Making an Appropriation Therefor; Repealing All Acts and Parts of Acts in Conflict With the Provisions of This Act, and Declaring an Emergency.

Which the Senate has amended as shown in the Senate Journal, March 4, pages 25 and 26.

Also,

House Bill No. 355. A Bill for an Act Making an Appropriation to Provide for Payment of a Deficit in the Amount Appropriated for Payment of Per Diem of Employees of Twenty-fourth Legislative Assembly.

Amended, Senate Journal, March 4, page 26.

Also,

House Bill No. 213. A Bill for an Act Creating the State Athletic Commission, Prescribing its Powers and Duties, Providing Penalties for Violations and Repealing all Acts or Parts of Acts in Conflict Herewith.

Amended, Senate Journal, March 4, page 28.

Also,

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 140, Session Laws of 1933, Defining Usury.

Amended, Senate Journal, March 4, page 27.

Also,

House Bill No. 56. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and

Repairs, New Building, Equipment and Miscellaneous Expenses for the State Normal School, Dickinson, North Dakota.

Amended, Senate Journal, March 4, page 66.

Also,

House Bill No. 54. 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.

Which the Senate has amended, shown in Senate Journal, March 4, page 64.

Also,

House Bill No. 40. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Public Health.

Amended, Senate Journal, March 4, page 4.

Also,

House Bill No. 27. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and Magpie Bounty as Provided for by Sections 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

Amended, Senate Journal March 4, page 4.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 6, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 57.

Also,

The Senate has adopted the report of the Conference Committee on House Bill No. 44.

Also,

The President has appointed as a Conference Committee

on House Bill No. 217, Senators Lynn, Greene of Stutsman, and Nelson of Grand Forks.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 6, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 276. A Bill for an Act Relating to Special Election for Removal of County Seats in Certain Counties, and Petition Therefor, Providing for Preliminary Resolutions by the Board of County Commissioners and Publication Thereof, Notice of Election, Election--How Conducted, and County Seat Designated, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 172. A Bill for an Act Providing for the Establishment of Voting Precincts in Special School Districts; Requiring Establishment of Polling Places for Each 5000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 95. A Bill for an Act Legalizing and Validating All Publications and Posting of Tax Sale Notices and Tax Sale Certificates Based Thereon Which Notices Have Been Posted or Published Prior to January 1st, 1935.

Also,

House Bill No. 86. A Bill for an Act Providing for the Organization of Credit Unions, the Incorporation Thereof, the Internal Regulation and Management of Same, Defining Their Powers and Duties, Fixing the Number of Officers and Committees, Defining Their Powers, Tenure, Compensation and Duties, Providing for the Adoption and Amendment of By-Laws, Prohibiting the Use of the Term "Credit Unions" by Other Persons, Firms, Associations or Corporations, Defining Membership Therein, Regulating the Rights of Borrowers, Interest on Loans, Capital, Reserves, Loans, Security, Dividends, Fines, Expulsion and Withdrawal of Members, Dissolution, Change of Place of Business, Taxation of Property, Providing for Reports and Examinations, and Placing the Same Under the Supervision of the State Banking Board.

Also,

House Bill No. 256. A Bill for an Act Authorizing the

County Commissioners to Purchase and Condemn Right of Ways.

Also,

House Bill No. 262. A Bill for an Act to Amend and Re-enact Section 3596 of the Compiled Laws of 1913, Relating to Procedure in Passing Ordinances in Cities Under the Mayor Council Form of Government.

Also,

House Bill No. 313. A Bill for an Act Authorizing and Directing the Register of Deeds in the Various Counties to Remove From Their Files and Destroy Outlawed Seed Liens, Labor Liens, Stallion Liens, Chattel Mortgages and Threshing Liens Filed Prior to January 1, 1920, and by Reason of Failure of Renewal as by Statute Provided Have Become Outlawed; Requiring Records to Be Kept.

Also,

House Bill No. 258. A Bill for an Act Providing a Uniform Law for the Administration and Supervision of Trust Estates in the District Court, and Providing the Procedure and Rules Governing and Relating to Same; and Repealing All of Chapter 122 of the Session Laws of North Dakota for the Year 1931, and All Other Acts or Parts of Acts in Conflict Herewith, and Making the Act an Emergency Measure.

Also,

House Bill No. 212. A Bill for an Act Appropriating Five Thousand Dollars (\$5,000.00) to the State Historical Society for the Purchase of the Site of Old Fort Abraham Lincoln in Morton County, North Dakota.

Which the Senate has passed unchanged.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 6, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 177. A Bill for an Act to Amend and Re-enact Chapter 236 of the 1933 Session Laws Relating to Common School District Transportation; Leaving Same to the Discretion of the School Board; Limiting the Amount That May Be Paid for Same and Repealing Chapter 244 of the Session Laws of the State of North Dakota for the Year 1931; Prohibiting Discrimination as Between Families.

Also,

House Bill No. 227. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 235, Session Laws of 1929, as Amended by Chapter 252, Session Laws of 1931, and Section 2 of Chapter 297, Session Laws of 1931, Relating to the Tax Levy Limitations of School Districts, Repealing Section 7 of Chapter 235, Session Laws of 1929, as Amended by Chapter 252, Session Laws of 1921, and Section 2 of Chapter 297, Session Laws of 1931, and all Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 261. A Bill for an Act to Amend and Re-enact Section 2202 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Giving Notice of the Expiration of the Period of Redemption on Property Forfeited to the County at Tax Sales, Issuance of Tax Deeds to County and Sale by County of Property Acquired by Tax Deed, as Said Section is Amended by Chapter 226 of the Session Laws of 1927 Insofar as it Relates to Sub-division 6 of Said Amended Chapter.

Also,

House Bill No. 281. A Bill for an Act to Amend and Re-enact Section 7812 of the Compiled Laws of North Dakota for the Year 1913, Relating to Non-resident and Foreign Corporations Furnishing Surety for Costs When Plaintiffs and Excepting from the Operation Thereof, Corporations That Are Agencies or Instrumentalities of the United States of America.

Which the Senate has indefinitely postponed.

Very respectfully,

F. E. TUNELL,
Secretary..

Senate Chamber,
Bismarck, North Dakota,
March 6, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 267. A Bill for an Act to Authorize, Upon the Option of the Voters, the Creation of a Light and Power Users Commission in Any Organized Town, Village, or City in the State of North Dakota.

Which the Senate has amended as shown in Senate Journal, March 4, page 12.

Also,

House Bill No. 323. A Bill for an Act to Amend and Re-enact Sub-section 1 of Section 20, Session Laws of 1931 Relating to Game and Fish.

Amended, Senate Journal, March 5, page 94.

Also,

House Bill No. 76. A Bill for an Act to Amend and Re-enact Chapter 264 of the Session Laws of 1933, Being an Act to Suspend the Operation of Section 2202 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 199 of the Session Laws of 1925, (Section 2202 of the 1925 Supplement to the Compiled Laws of 1913) and as Amended by Chapter 266 of the Session Laws of 1927, Relating to Tax Deeds to Be Issued to the County Upon the Expiration of the Period of Redemption, Upon Due Notice; Tax Deeds to the County and Sale of Property So Acquired Until December 31st, 1935, Further Extend the Time of Suspension to December 31st, 1937; and Suspending the Operation of All Acts or Parts of Acts in Conflict Herewith and Declare an Emergency.

Amended, Senate Journal, March 5, page 40.

Also,

House Bill No. 325. A Bill for an Act to Restore the Motor Vehicle Registration Fund to the Highway Department.

Amended, Senate Journal, Mar. 5, page 48.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGE FROM THE GOVERNOR

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

March 6, 1935.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 75. A Bill for an Act to Provide for Liens in Favor of Hospitals and Other Charitable Institutions Furnishing Care, Treatment and Maintenance of Persons Injured in Accidents, not Subject to the Provisions of the Workmen's Compensation Act of North Dakota, for the Reasonable Value of the Service so Rendered, Upon the Rights of Action, Claims or Demands of Such Injured Persons, or Judgment Recovered Thereon, Against Other Persons, or Corporations, liable in Tort for Damages, on Account of Negligence Causing the Injuries, and Upon the Proceeds of the Settlements of Any Such Claims or Demands; and Upon and Against the Insurers of Such Tort Feasor or Tort Feasors; and Upon Insurance Held by the Injured Person, and Providing for Constructive Notice Upon Such Insurers, Tort Feasors and their Insurers, if any, by a Filing of a Lien Statement with the Clerk of the District Court of the County in Which Such Services Are Rendered.

Also,

Senate Bill No. 131. A Bill for an Act Authorizing and Empowering the Governor to Accept a Conveyance in Trust of the Lands Comprising the International Peace Garden to the State of North Dakota; Setting Forth the Terms and Conditions of the Trust; Vesting the Custody, Control, Possession, Supervision, Management and Operation of Such Lands in the Board of Directors of the International Peace Garden, Inc.; Vesting in the State Historical Society General Supervision of Such Lands, and Expressly Empowering the State Historical Society to Co-operate in the Establishment, Promotion and Development of the International Peace Garden for the Purpose of Furthering International Peace Among the Nations of the World; Providing for the Duration of Such Trust, and Repealing All Acts, or Parts of Acts, in Conflict Herewith, and Declaring That an Emergency Exists for the Immediate Enactment of This Act.

Very truly yours,

WALTER WELFORD,
Acting Governor.

The President announced the appointment of Senators Crandall, McGillic and Lowe as the Senate Conference Committee on House Bill No. 38.

Also,

Senators Owings, Young and Nelson of Barnes as the Senate Conference Committee on House Concurrent Resolution A-4.

Senator Whelan asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Whelan moved that the vote by which Senate Bill No. 57 was passed be reconsidered.

Which motion prevailed.

Senator Whelan moved that the Senate do not concur in the House amendment to Senate Bill No. 57 and that a Conference Committee be appointed.

Which motion prevailed.

The President announced the appointment of Senators Strehlow, Jones and Wog as the Senate Conference Committee on Senate Bill No. 57.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator McDonald moved that the Senate do not concur in the House amendment to Senate Bill No. 96 and that a Conference Committee be appointed.

Which motion prevailed.

Senator Brostuen moved that the Senate do concur in the House amendment to Senate Bill No. 212.

Which motion prevailed.

Senator Brostuen moved that the rules be suspended and that Senate Bill No. 212, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 212. A Bill for an Act Validating, Rati-fying, Approving and Confirming Bonds, Warrants and Other Instruments or Obligations Heretofore Issued by Public Bodies of This State for the Purpose of Financing in Whole or in Part Public Works Projects, and Validating All Proceedings Heretofore Taken for the Incorporation of Any Public Body as Defined in the Act, and Declaring an Emer-gency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Greene, Stutsman	Miklethun
Braaten	Gronvold	Mutchler
Brostuen	Handley	Nelson, Barnes
Cain	Johnson	Nelson, Grand Fks.
Coffey	Kamrath	Owings
Crandall	Kolpin	Peterson
Drew	Kroeber	Thatcher
Dubay	Lemke	Topp
Erickson	Lind	Trout
Ettestad	Lowe	Trovatten
Fine	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Young

Those voting in the negative were:

Messrs.
Thorson

Absent and not voting:

Eastgate	Matthaei	Stucke
Jones	Strehlow	Wog

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Ettestad moved that the Senate do concur in the House amendments to Senate Bill No. 161.

Senator Erickson moved as a substitute motion that the Senate do not concur in the House amendment to Senate Bill No. 161 and that a Conference Committee be appointed.

Which motion was lost.

The question was on the motion of Senator Ettestad.

Which motion prevailed and the Senate concurred in the House amendments to Senate Bill No. 161.

Senator Ettestad moved that the rules be suspended and that Senate Bill No. 161, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 161. A Bill for an Act Providing for the Regulation of Dealers in Livestock, and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Records Required of Dealer; Feeding, Watering and Weighing; Acts of Deceit, Fraud or Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act, and, Repealing all of Chapter 7 of the Session Laws of the State of North Dakota for the Year 1933; and Repealing all Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 24; nays, 21; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Greene, Cavalier	Marshall
Brostuen	Greene, Stutsman	Matthaei
Crandall	Handley	Miklethun
Drew	Johnson	Nelson, Barnes
Dubay	Kamrath	Nelson, Grand F'ks.
Ettestad	Kolpin	Owings
Fine	Lemke	Peterson
Fredrickson	Lind	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kroeber	Thorson
Cain	Lowe	Topp
Coffey	Lynn	Trout
Eastgate	McDonald	Trovatten

Messrs. Erickson Fowler Gronvold	Messrs. McGillic Mutchler Thatcher	Messrs. Vinje Watt Whelan
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Absent and not voting:

Messrs. Jones Strehlow	Messrs. Stucke	Messrs. Wog
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So the bill was declared lost.

Senator Erickson: "I am going to have to vote 'no' on this bill, because it prevents anyone from buying poultry unless he is in it in a large scale. No one can afford to take out a license or a \$1,500 bond to buy poultry. At the present time we have several dealers who make that a business and this would absolutely vote those people out of business."

Senator McDonald: "I vote 'no' on this bill because it would put quite a few farmers in this County alone out of business. They could not afford to pay it."

Senator Bonzer moved that the Senate do concur in the House amendment to Senate Bill No. 156.

Senator Cain moved as a substitute motion that the Senate do not concur in the House amendment to Senate Bill No. 156, and that a Conference Committee be appointed.

Which motion prevailed.

The President announced the appointment of Senators McDonald, Matthaei and Nelson of Grand Forks as the Senate Conference Committee on Senate Bill No. 96.

Also,

Senators Cain, Peterson and Bonzer as the Senate Conference Committee on Senate Bill No. 156.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 217 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 6548a11 and 6548a12 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Exchange of Reciprocal or Inter-Insurance Contracts; Providing for Appointment of Resident Agents; License Fees and Tax; Publication of Abstract of Annual Statement; Providing for Applicability of General Insurance Laws. Repeal.

Have had the same under consideration and recommend that the amendments of the Senate, by which Sections 2

and 3 of House Bill No. 217 were stricken out, have been agreed to.

For the Senate:

HARRY C. LYNN,
N. N. NELSON,
E. E. GREENE.

For the House:

BEN FEDJE,
JOE FITZGERALD,
FRANK GESSNER.

Senator Lynn moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Lynn moved that the rules be suspended and that House Bill No. 217, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 6548a11 and 6548a12 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Exchange of Reciprocal or Inter-Insurance Contracts; Providing for Appointment of Resident Agents; License Fees and Tax; Publication of Abstract of Annual Statement; Providing for Applicability of General Insurance Laws. Repeal.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 33; nays, 10; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Jones	Mutchler
Cain	Kamrath	Nelson, Barnes
Coffey	Kolpin	Nelson, Grand Fks.
Dubay	Kroeber	Owings
Erickson	Lowe	Peterson
Fowler	Lynn	Thorson
Fredrickson	Marshall	Topp
Greene, Stutsman	Matthaei	Trout
Gronvold	McDonald	Trovatten
Handley	McGillic	Watt
Johnson	Miklethun	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Greene, Cavalier	Strehlow
Drew	Lemke	Thatcher
Eastgate	Lind	Vinje
Fine		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Ettestad	Whelan
Crandall	Stucke	Wog

So the bill passed and the title was agreed to.

Senator Whelan moved that the Senate recess for ten minutes.

Which motion prevailed.

The Senate re-convened, President pro tem. Marshall presiding.

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. 114. A Bill for an Act Relating to Funding and Refunding Existing Indebtedness of Municipalities and Declaring an Emergency.

Also,

Senate Bill No. 227. A Bill for an Act to Amend and Re-enact Section 7429, Compiled Laws of North Dakota for the Year 1913, Relating to Service of Summons by Publication.

Also,

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 196 of the Laws of North Dakota, 1927, in Relation to the Levy of Taxes to Pay the Principal of and Interest on Bonds Issued by Municipalities Which Are Further Sustained by Revenue of a Revenue-Producing Utility, Industry, or Enterprise, and Declaring an Emergency.

Also,

Senate Bill No. 222. A Bill for an Act to Amend and Re-enact Section 4058 of the Compiled Laws of North Dakota for 1913, as Amended by Section 1 of Chapter 180 of the Session Laws of the State of North Dakota for 1929, Relating to the Organization of a Board of Park Commissioners, Defining the Qualifications, Mode of Election and Term of Office of Such Commissioners and Prescribing the Manner of Filling Vacancies of Said Board, and Declaring an Emergency.

Also,

Senate Bill No. 223. A Bill for an Act to Amend and Re-enact Section 3666 of the Compiled Laws of North Dakota

for 1913, Relating to the Time, Place and Manner of Holding City Elections in Cities Under the City Council Form of Government, and Providing That Elective Officers Serve Until Their Successors Are Elected and Qualify, and Declaring an Emergency.

Also,

Senate Bill No. 276. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 177, Laws of North Dakota for 1927 as Amended by Chapter 182, Laws of North Dakota for 1931, Relating to the Coloring of Gasoline by the Use of a Harmless Dye.

Also,

Senate Bill No. 315. A Bill for an Act to Amend and Re-enact Section 4688a11 of the Supplement to the Compiled Laws of North Dakota, of 1913, Relating to Abolition of Railroad Crossings, the Construction and Maintenance of Overhead and Underground Crossings and Separate Grades and Providing for the Apportionment of the Costs Thereof.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 6, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 57 and the President has appointed as a Conference Committee, Senators Strehlow, Jones and Wog.

Also refused to concur in the House amendments to Senate Bill No. 96 and the President has appointed as a Conference Committee, Senators McDonald, Matthaei and Nelson of Grand Forks.

Also,

Refused to concur in House amendments to Senate Bill No. 156 and the President has appointed as a Conference Committee, Senators Cain, Peterson and Bonzer.

Also,

That the Senate has concurred in the House amendment to Senate Bill No. 212.

Also,

That Senate Bill No. 161 was indefinitely postponed by the Senate.

Also,

That the Senate has adopted the report of the Conference Committee on House Bill No. 217.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 6, 1935.

Mr. President: I have the honor to return herewith the following:

SENATE CONCURRENT RESOLUTION A-e

Which the House has adopted unchanged.

Also,

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Section 1162 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for 1933, Relating to Annual, Regular and Special Meetings of Boards of Common School Districts and Providing for Notice of Same and Relating to Attendance, Per Diem and Mileage of School Officers Attending County Meetings, and Declaring an Emergency.

Also,

Senate Bill No. 287. A Bill for an Act Authorizing the Workmen's Compensation Bureau to Carry Compensation Insurance on Employees on National Recovery Work Projects and to Calculate and Determine Rates on a State Wide Experience Basis.

Also,

Senate Bill No. 281. A Bill for an Act Relating to the Incorporation of Mutual Aid Non-Profit Corporations, and Defining Their Purposes and Powers and Declaring an Emergency.

Also,

Senate Bill No. 52. A Bill for an Act Creating a Board Known as the "North Dakota Commissioners of the Federated Cooperative Agricultural Association" and Providing for Cooperation With Other Surplus Producing States of the Union, Describing the Manner of Forming the Same, the Purposes Thereof, Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 216. A Bill for an Act Amending and Re-enacting Section 16 of Chapter 196 of the Laws of North

Dakota for the Year 1927, and Relating to the Execution, Registration, Certification and Delivery of Bonds Issued by a Municipality.

Also,

Senate Bill No. 229. A Bill for an Act Relating to Foreclosure of Mortgage or Other Lien Upon Real Estate Providing for Service of Summons in Actions to Foreclose Mortgage or Other Lien Upon Real Estate; Providing for Personal Service or Service by Publication; Specifying Manner in Which Unknown Defendants and Representatives of Deceased Defendants May Be Joined; Providing That Said Method Shall Be in Addition to Present Remedies.

Also,

Senate Bill No. 263. A Bill for an Act to Amend and Re-enact Sections 2350, 2412 and 2417 of the Compiled Laws of North Dakota of the Year 1913 Relating to the Military Code of the State of North Dakota; Defining Military Forces; Providing a Board of Armory Supervisors and Defining the Powers Thereof; Fixing the Pay and Allowances of Enlisted Men on Active Duty and Further Providing for the Appointment of an Assistant Adjutant General, His Powers and Duties; the Appointment of a Disbursing Officer, His Powers and Duties; Requiring Officers to Furnish Bonds; Providing Punishment for False Certificates or Returns and for the Misuse of Funds or Property; Providing that State and Municipal Officers and Employees Shall Not Lose Pay While on Duty; Giving Troops Power to Act Outside of Occupied Territory; Providing for the Service of Process of Military Courts; Providing that the Invalidation of a Portion of This Act Shall Not Invalidate the Remainder Thereof and Repealing Sections 2392, 2421, 2432b and 2434 of the Compiled Laws of North Dakota of the Year 1913 and Sections 2423a and 2442a of the 1925 Supplement to the Compiled Laws of North Dakota of the Year 1913 and All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 273. A Bill for an Act to Appropriate the Sum of One Thousand Dollars (\$1,000.00) From Any Moneys in the State Highway Fund for the Purpose of Making a Preliminary Survey and Soundings for the Construction of a Bridge Across the Little Missouri River at or Near the Intersection of the Little Missouri River With the Trail Passing South of Independence and Crossing Section Twenty-nine (S. 29), Township One Hundred Forty-eight (T. 148), Range Ninety-one (R. 91) Dunn County, North Dakota, Approximately Six Miles Northwest of the Fort Berthold Bridge, Also Known as the Four Bears Bridge, Under the Provisions of Chapter Seventy-three (73) of the Laws of North Dakota for the year Nineteen Hundred Nineteen (1919) (Sections 1952a1 and 1952a2 of the 1925 Supplement to the Compiled Laws of 1913) as Amended and Re-enacted by Chapter 161, Laws of 1927, as Amended and Re-enacted by Chapter 140 of the Laws of 1929, and Directing the State

Highway Commissioner Forthwith to Designate Said Trail as a Feeder Road to State and Federal Highway No. 8, and to Forthwith Make Said Soundings and Survey, and Select a Bridge Site; and Directing Said Highway Commissioner Forthwith to Construct Such Bridge, and Do All Necessary Preliminary Acts Therein.

Also,

Senate Bill No. 310. A Bill for an Act Authorizing Counties, Cities, Villages, School Districts and Park Districts to Accept Devises, Bequests, Legacies and Gifts, Provided That the Title Thereto Shall Be Held in Trust; Regulating the Handling and Use of Such Property and its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made; and Declaring an Emergency.

Also,

Senate Bill No. 324. A Bill for an Act Authorizing and Empowering the Industrial Commission of the State of North Dakota to Take Such Action as May Be Proper and Necessary to Cooperate with the Emergency Conservation Work Projects of the Federal Government on State, County and Municipally owned Lands, Authorizing the Industrial Commission to Enter Into Such Contracts and Agreements as Are Permissible Under the State Constitution with Municipalities and Private Individuals for the Carrying on of Such Emergency Conservation Work Projects, Making it the Duty of Such Commission to Make a Report of its Proceedings Under This Act to the Next Legislative Assembly, and Declaring an Emergency.

Also,

Senate Bill No. 328. A Bill for an Act Authorizing the State Forester to Accept, Acquire or Lease Land for State Forests and State Parks; Providing for the Management and Development Thereof and the Disposition of Income From Such Lands.

Also,

Senate Bill No. 296. A Bill for an Act to Provide for the Creation of Water Conservation Districts; to Provide for Water Conservation Commissioners and Fix Their Powers and Duties; to Provide for a State Water Conservation Commissioner and Fix His Powers and Duties; to Provide for the Acquisition of Property Rights and the Assessment of Benefits Against the Property Affected, and to Provide for the Levy of Special Assessments and Prescribing the Duties of County Commissioners Relating to Water Conservation Projects, Providing for the Exemption of Federal Projects and Agencies, and Declaring an Emergency.

Also,

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the

Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Which the House has passed unchanged.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 79. A Bill for an Act to Provide for Fraud or Fraudulent Concealment of Facts Constituting a Cause of Action, to Postpone or Toll the Running of the Statute of Limitations.

Also,

House Bill No. 61. 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,

House Bill No. 365. A Bill for an Act Providing That Teachers Who Served in the United States Armed Forces During the World War Shall Be Entitled to Have the Time of Said Service Counted "Teaching Service" Under the Teachers' Insurance and Retirement Law Upon Payment of the Assessments for the Time of Said Service; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 360. A Bill for an Act Giving Preference to North Dakota Bidders and Sellers; Defining Such North Dakota Bidders and Sellers, and Prescribing the Nature of Preference to Be Given.

Also,

House Bill No. 359. A Bill for an Act to Authorize, Direct and Empower the State Board of Administration to Provide, Furnish and Equip a Room in the State Capitol Office Building for the Exclusive Use of Representatives of Accredited Press Associations and Daily Newspapers.

Also,

House Bill No. 81. A Bill for an Act Making an Emergency Appropriation to Provide for the Payment of the Salaries of Assistant Dairy Commissioners, Official Tester, Clerkhire, Office Supplies, Printing, Postage, Travel Expenses, Auto Exchange and Miscellaneous Expenses for the Office of Dairy Commissioner, and Declaring an Emergency.

Also,

House Bill No. 111. A Bill for an Act Entitled an Act to Empower the Governing Boards of Municipalities to Compromise and Fund Judgment Liabilities; to Issue Bonds in Satisfaction of Judgments Reduced in Amount by Compromise and Provide for the Form, Execution, Registration and Payment of the Same; and to Invest Municipalities with an Interest in Uncollected Special Assessments in Certain Cases.

Also,

House Bill No. 133. A Bill for an Act Authorizing Judges of the District Court to Request the Attorney General to Perform Certain Duties Relating to Criminal Matters, Providing for Payment of Expenses in Connection Therewith, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 154. A Bill for an Act Requiring Deduction of Delinquent Personal Property Taxes From Salaries or Other Compensation of Elective and Appointive Officers, Agents and Employees of the State of North Dakota, All Bureaus, Boards, Commissions and Departments, and All Persons receiving Public Funds.

Also,

House Bill No. 182. A Bill for an Act to Amend and Re-enact Section 3999, Supplement to the Compiled Laws of 1913.

Also,

House Bill No. 188. A Bill for an Act Relating to the Granting of Preventative Relief, Prescribing Conditions Thereof and Provisions Therefor; and Repealing Sections 7214a1, 7214a2 and 7214a3 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 253. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 199 Session Laws of 1933 Relating to the Disposition of Fees and Payment of Expenses of the North Dakota Regulatory Department.

Also,

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5, of Chapter 235 of the Session Laws of 1929, as Amended by Chapter 297 of the Session Laws of 1931, Relating to Tax Levy, Limitations of Cities.

Also,

House Bill No. 265. A Bill for an Act to Cancel All Interest and Penalty, Levied and Assessed Against Delinquent Real Estate Taxes and Providing for Redemption of Real Estate Sold or Forfeited to the County for the Years 1933,

and All Prior Years, and Still Held by the County, Without Paying Interest or Penalty, if Said Taxes Are Paid During the Year 1935; Repealing All Acts in Conflict Herewith.

Also,

House Bill No. 289. A Bill for an Act to Amend and Re-enact Subdivision 4 of Section 4 and Sections 13 and 14 of Chapter 97 of the Session Laws of 1933.

Also,

House Bill No. 300. A Bill for an Act to Amend and Re-enact Section 4809b6, of the Supplement to the 1913 Compiled Laws of North Dakota, Providing Enlarged Powers to Co-operative Marketing Associations in Connection with the Handling of Co-operative Products.

Also,

House Bill No. 328. A Bill for an Act for the Transfer of License Tags Required for Trucks Engaged in Commercial Freighting, as Provided by Sub-division C of Section 5 of Chapter 186 of the Session Laws of 1931, to Another Truck Owned by the Same License Holder, Upon the Sale or Destruction of Such Commercial Freighting Truck, so Licensed; Prohibiting Automobile Dealers from Permitting the Use of A Dealers License by Another Dealer and Providing Penalty Therefor.

Also,

House Bill No. 347. A Bill for an Act Relating to Relief and Rehabilitation Work Carried on in North Dakota by the Federal Emergency Relief Administration Through the North Dakota Rural Rehabilitation Corporation; Exempting From Taxation Moneys and/or Credits Coming Into the Possession of or Belonging to the North Dakota Rural Rehabilitation Corporation as a Result of Any Federal Grant or Gift for Relief or Rehabilitation Purposes, and Authorizing the State Treasurer, in Event of Dissolution of the North Dakota Rural Rehabilitation Corporation, to Accept Funds and Property on Hand or Belonging to the Corporation at the Time of Dissolution.

Also,

HOUSE CONCURRENT RESOLUTION A-13

Also,

SENATE CONCURRENT RESOLUTION "H"

Also,

SENATE CONCURRENT RESOLUTION A-i

Also,

SENATE CONCURRENT RESOLUTION X

Also,

SENATE CONCURRENT RESOLUTION A-h

Also,

Senate Bill No. 114. A Bill for an Act Relating to Funding and Refunding Existing Indebtedness of Municipalities and Declaring an Emergency.

Also,

Senate Bill No. 227. A Bill for an Act to Amend and Re-enact Section 7429, Compiled Laws of North Dakota for the Year 1913, Relating to Service of Summons by Publication.

Also,

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 196 of the Laws of North Dakota, 1927, in Relation to the Levy of Taxes to Pay the Principal of and Interest on Bonds Issued by Municipalities Which Are Further Sustained by Revenue of a Revenue-Producing Utility, Industry, or Enterprise, and Declaring an Emergency.

Also,

Senate Bill No. 222. A Bill for an Act to Amend and Re-enact Section 4058 of the Compiled Laws of North Dakota for 1913, as Amended by Section 1 of Chapter 180 of the Session Laws of the State of North Dakota for 1929, Relating to the Organization of a Board of Park Commissioners, Defining the Qualifications, Mode of Election and Term of Office of Such Commissioners and Prescribing the Manner of Filling Vacancies of Said Board, and Declaring an Emergency.

Also,

Senate Bill No. 223. A Bill for an Act to Amend and Re-enact Section 3666 of the Compiled Laws of North Dakota for 1913, Relating to the Time, Place and Manner of Holding City Elections in Cities Under the City Council Form of Government, and Providing That Elective Officers Serve Until Their Successors Are Elected and Qualify, and Declaring an Emergency.

Also,

Senate Bill No. 276. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 177, Laws of North Dakota for 1927 as Amended by Chapter 182, Laws of North Dakota for 1931, Relating to the Coloring of Gasoline by the Use of a Harmless Dye.

Also,

Senate Bill No. 315. A Bill for an Act to Amend and Re-enact Section 4688a11 of the Supplement to the Compiled Laws of North Dakota, of 1913, Relating to Abolition of Railroad Crossings, the Construction and Maintenance of Overhead and Underground Crossings and Separate Grades and Providing for the Apportionment of the Costs Thereof.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 6, 1935

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 79. A Bill for an Act to Provide for Fraud or Fraudulent Concealment of Facts Constituting a Cause of Action, to Postpone or Toll the Running of the Statute of Limitations.

Also,

House Bill No. 61. 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,

House Bill No. 365. A Bill for an Act Providing That Teachers Who Served in the United States Armed Forces During the World War Shall Be Entitled to Have the Time of Said Service Counted "Teaching Service" Under the Teachers' Insurance and Retirement Law Upon Payment of the Assessments for the Time of Said Service; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 360. A Bill for an Act Giving Preference to North Dakota Bidders and Sellers; Defining Such North Dakota Bidders and Sellers, and Prescribing the Nature of Preference to Be Given.

Also,

House Bill No. 359. A Bill for an Act to Authorize, Direct and Empower the State Board of Administration to Provide, Furnish and Equip a Room in the State Capitol Office Building for the Exclusive Use of Representatives of Accredited Press Associations and Daily Newspapers.

Also,

House Bill No. 81. A Bill for an Act Making an Emergency Appropriation to Provide for the Payment of the Salaries of Assistant Dairy Commissioners, Official Tester, Clerkhire, Office Supplies, Printing, Postage, Travel Expenses, Auto Exchange and Miscellaneous Expenses for the Office of Dairy Commissioner, and Declaring an Emergency.

Also,

House Bill No. 111. A Bill for an Act Entitled an Act to Empower the Governing Boards of Municipalities to Compromise and Fund Judgment Liabilities; to Issue Bonds in Satisfaction of Judgments Reduced in Amount by Com-

promise and Provide for the Form, Execution, Registration and Payment of the Same; and to Invest Municipalities with an Interest in Uncollected Special Assessments in Certain Cases.

Also,

House Bill No. 133. A Bill for an Act Authorizing Judges of the District Court to Request the Attorney General to Perform Certain Duties Relating to Criminal Matters, Providing for Payment of Expenses in Connection Therewith, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 154. A Bill for an Act Requiring Deduction of Delinquent Personal Property Taxes From Salaries or Other Compensation of Elective and Appointive Officers, Agents and Employees of the State of North Dakota, All Bureaus, Boards, Commissions and Departments, and All Persons receiving Public Funds.

Also,

House Bill No. 182. A Bill for an Act to Amend and Re-enact Section 3999, Supplement to the Compiled Laws of 1913.

Also,

House Bill No. 188. A Bill for an Act Relating to the Granting of Preventative Relief, Prescribing Conditions Thereof and Provisions Therefor; and Repealing Sections 7214a1, 7214a2 and 7214a3 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 253. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 199, Session Laws of 1933, Relating to the Disposition of Fees and Payment of Expenses of the North Dakota Regulatory Department.

Also,

House Bill No. 259. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 5, of Chapter 235 of the Session Laws of 1929, as Amended by Chapter 297 of the Session Laws of 1931, Relating to Tax Levy, Limitations of Cities.

Also,

House Bill No. 265. A Bill for an Act to Cancel All Interest and Penalty, Levied and Assessed Against Delinquent Real Estate Taxes and Providing for Redemption of Real Estate Sold or Forfeited to the County for the Years 1933, and All Prior Years, and Still Held by the County, Without Paying Interest or Penalty, if Said Taxes Are Paid During the Year 1935; Repealing All Acts in Conflict Herewith.

Also,

House Bill No. 289. A Bill for an Act to Amend and Re-enact Subdivision 4 of Section 4 and Sections 13 and 14 of Chapter 97 of the Session Laws of 1933.

Also,

House Bill No. 300. A Bill for an Act to Amend and Re-enact Section 4809b6, of the Supplement to the 1913 Compiled Laws of North Dakota, Providing Enlarged Powers to Co-operative Marketing Associations in Connection with the Handling of Co-operative Products.

Also,

House Bill No. 328. A Bill for an Act for the Transfer of License Tags Required for Trucks Engaged in Commercial Freighting, as Provided by Sub-division C of Section 5 of Chapter 186 of the Session Laws of 1931, to Another Truck Owned by the Same License Holder, Upon the Sale or Destruction of Such Commercial Freighting Truck, so Licensed; Prohibiting Automobile Dealers from Permitting the Use of A Dealers License by Another Dealer and Providing Penalty Therefor.

Also,

House Bill No. 347. A Bill for an Act Relating to Relief and Rehabilitation Work Carried on in North Dakota by the Federal Emergency Relief Administration Through the North Dakota Rural Rehabilitation Corporation; Exempting From Taxation Moneys and/or Credits Coming Into the Possession of or Belonging to the North Dakota Rural Rehabilitation Corporation as a Result of Any Federal Grant or Gift for Relief or Rehabilitation Purposes, and Authorizing the State Treasurer, in Event of Dissolution of the North Dakota Rural Rehabilitation Corporation, to Accept Funds and Property on Hand or Belonging to the Corporation at the Time of Dissolution.

Also,

HOUSE CONCURRENT RESOLUTION A-13

Which the President has signed.

Also transmit,

SENATE CONCURRENT RESOLUTION A-i

Also,

SENATE CONCURRENT RESOLUTION X

Also,

SENATE CONCURRENT RESOLUTION A-h

Also,

Senate Bill No. 114. A Bill for an Act Relating to Funding and Refunding Existing Indebtedness of Municipalities and Declaring an Emergency.

Also,

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Senate Bill No. 227. A Bill for an Act to Amend and Re-enact Chapter 7429 of the 1913 Compiled Laws of the State of North Dakota, Relating to Service of Summons by Publication.

Also,

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 196 of the Laws of North Dakota, 1927, in Relation to the Levy of Taxes to Pay the Principal of and Interest on Bonds Issued by Municipalities Which Are Further Sustained by Revenue of a Revenue-Producing Utility, Industry, or Enterprise.

Also,

Senate Bill No. 222. A Bill for an Act to Amend and Re-enact Section 4058 of the Compiled Laws of North Dakota for 1913, as Amended by Section 1 of Chapter 180 of the Session Laws of the State of North Dakota for 1929, Relating to the Organization of a Board of Park Commissioners, Defining the Qualifications, Mode of Election and Term of Office of Such Commissioners and Prescribing the Manner of Filling Vacancies of Said Board, and Declaring an Emergency.

Also,

Senate Bill No. 223. A Bill for an Act to Amend and Re-enact Section 3666 of the Compiled Laws of North Dakota for 1913, Relating to the Time, Place and Manner of Holding City Elections in Cities Under the City Council Form of Government, and Providing That Elective Officers Serve Until Their Successors Are Elected and Qualify, and Declaring an Emergency.

Also,

Senate Bill No. 276. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 177, Laws of North Dakota for 1927 as Amended by Chapter 182, Laws of North Dakota for 1931, Relating to the Coloring of Gasoline by the Use of a Harmless Dye.

Also,

Senate Bill No. 315. A Bill for an Act to Amend and Re-enact Section 4688 All of the 1925 Supplement to the Compiled Laws of North Dakota, of 1913, Relating to Abolition of Railroad Crossings, the Construction and Maintenance of Overhead and Underground Crossings and Separate Grades and Providing for the Apportionment of the Costs Thereof.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 6, 1935.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 40.

Also inform you that the House has refused to concur in the Senate amendment to House Bill No. 107 and the Speaker has appointed as a Conference Committee to act with a like Committee from the Senate, Representatives Wolf, Place and Born.

Also inform you that the House has refused to concur in the Senate amendment to House Bill No. 56 and the Speaker has appointed as a Conference Committee to act with a like Committee from the Senate, Representatives Fedje, Hall and Tuff.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 6, 1935.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 338.

Also, House Bill No. 355.

Also, House Bill No. 213.

Also inform you that the Speaker has appointed as a Conference Committee to act with a like Committee from the Senate on Senate Bill No. 57, Representatives Dahl of Emmons, Olson of Mountrail and Saumur.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 6, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 30.

Also, House Bill No. 217.

Also, Senate Bill No. 138.

WEDNESDAY, MARCH 6, 1935

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Also inform you that the Speaker has appointed as a new Conference Committee to act with a like Committee from the Senate on House Bill No. 60, Representatives Place, McLarty and Hurd.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 6, 1935.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 323.

Also, the House has refused to concur in the Senate amendment to House Bill No. 267 and the Speaker has appointed as a Conference Committee to act with a like Committee from the Senate Representatives Olson of Hettinger, Thoreson and Downey.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 6, 1935.

Mr. President: I have the honor to inform you that the House has refused to concur in the Senate amendment to House Bill No. 54, and the Speaker has appointed as a Conference Committee from the Senate, Representatives Beggs, ference Committee to act with a like Committee from the Senate, Representatives Beggs, Hurd and Brunsdale.

Also,

The House has refused to concur in the Senate amendment to House Bill No. 27 and the Speaker has appointed as a Conference Committee to act with a like Committee from the Senate, Representatives Bettenhausen, Adam and Caddell.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 6, 1935.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 76.

Also, House Bill No. 325.

Also,

The Speaker has appointed as a Conference Committee to act with a like Committee from the Senate on Senate Bill No. 96, Representatives Olson of Hettinger, Stray and Levin.

Also,

The Speaker has appointed as a Conference Committee to act with a like Committee from the Senate on Senate Bill No. 156, Representatives Noben, Bettenhausen and Scholl.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 6, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 43. A Bill for an Act to Prevent Fraud and Deception in the Sale of Live Stock Remedies; Providing for the Registration and Labeling of Live Stock Remedies; Authorizing Rules and Regulations for the Administration of This Act; Prescribing the Method of Revocation of Such Registration and Prescribing a Penalty for the Violation Thereof.

Also,

Senate Bill No. 180. A Bill for an Act to Amend and Re-enact Section 860 of the Compiled Laws of North Dakota of the Year 1913.

Also,

Senate Bill No. 101. A Bill for an Act to Establish a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Regulating the Sale and Distribution of the Same, Defining Certain Terms, Designating Standard Grades, Providing for an Inspection Service and for the Fixing of Fees and Other Charges and the Disposition of the Same, Defining Violations and Providing Penalties Therefor, Defining Certain Cooperative Functions, Charging Carriers with Certain Responsibilities, Providing for Enforcement and Prosecution, Providing for Effect of Partial Invalidity, and Providing for Administration of the Act Through the State Seed Commissioner and Giving Him Authority to Make Necessary Rules and Regulations, and to Administer Oaths, and to Have Free Access and Power of Seizure, and Providing for Supersedence of This Act.

Also,

Senate Bill No. 299. A Bill for an Act Authorizing the Governing Boards of Cities to Provide Group Life, Health

and Accident Insurance on the Employees of Said City and to Pay the Premiums Thereon and Declaring an Emergency.

Also,

Senate Bill No. 321. A Bill for an Act Providing for the Dissolution of Counties of This State, Providing the Procedure Therefor and Conditions Precedent, Giving Jurisdiction in Relation Thereto to the District Court, Providing for Proclamation by the Governor, Authorizing Attaching Territory of a Dissolved County to Another County for Judicial Purposes, Providing for Future Government and Tax Action, Giving Certain Powers to County Officers of the County to Which Said Territory is Attached, Providing for Liquidation of Indebtedness and Jurisdiction and Duties in Connection Therewith and Providing for Its Obligations and Duties as an Unorganized Territory and the Execution Thereof.

Also,

Senate Bill No. 252. A Bill for an Act Providing for the Speedy Liquidation of Insolvent Banks, Providing Procedure for Liquidating and Closing Receiverships of Insolvent Banks, Granting Additional Powers to the Supreme Court and Directing the Procedure to Be Had by Said Court and Defining the Powers and Duties of the Supreme Court in Bank Receiverships.

Also,

Senate Bill No. 104. A Bill for an Act to Prohibit the Employment of Married Women in All State or County Offices, Departments, Bureaus, Boards, and Commissions; and Providing a Penalty Therefor.

Also,

Senate Bill No. 275. A Bill for an Act Creating a City Board of Inspectors to Be Known as "Painters and Decorators Inspection Board" in Cities of Two Thousand Population or Over; Providing for the Appointment of the Members of the Said Board; Requiring All Painters, Decorators, and Paperhangers to Obtain Permits From Said City Board; Providing for the Inspection of Work of Painters, Decorators and Paperhangers; Providing for the License Fee and Penalties for the Violation Thereof and Declaring an Emergency.

Also,

Senate Bill No. 181. A Bill for an Act to Regulate the Employment of Teachers in the Public Schools of the Classified First, Second, and the Third Class High Schools; of the First, Second, and Third Class Graded and Consolidated Schools; and in State Institutions of Higher Learning, and Fixing the Conditions Under Which They May Hold Their Positions, or May Be Discharged.

Also,

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 339 of the Compiled Laws of North Dakota

for 1913, Relating to Selection of School Lands for Leasing, Advertising Same, Auction When Held, Commencement of Lease and Repealing All Acts in Conflict Therewith.

Which the House has indefinitely postponed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

The President announced the appointment of Senators Cain, Coffey and Thorson as the Senate Conference Committee on House Bill No. 56.

The Committee on Revision and Correction of the Journal made the following report:

Mr. President: Your Committee on Revision and Correction of the Journal have carefully examined the Journal of the Fifty-sixth day after recess and the Fifty-seventh day and recommend that the same be corrected as follows:

On page 68, correct the Roll Call on House Bill No. 107 to show Greene of Cavalier voting in the affirmative.

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

Senator Owings moved that the report be adopted, which motion prevailed and the report was adopted.

PETITIONS AND COMMUNICATIONS

The following petitions and communications were received and read from the desk:

A petition bearing 3,034 signatures was received from The Dakota Farmer regarding tax legislation.

Referred to the Committee on Taxes and Tax Laws.

A resolution from the Walhalla Civic Club in regard to dams in the Pembina River.

Referred to the Committee on State Affairs.

The President pro tem. called Senator Cain to the chair to preside.

REPORT OF STANDING COMMITTEES

The question was on the pending substitute motion of Senator Bonzer that the minority report of the Standing Committee on House Bill No. 130 be adopted.

Senator Stucke presented an opinion from the Attorney General's office which was read from the desk.

Senator Johnson renewed his substitute motion made be-

fore adjournment, to amend the Minority Report of the Standing Committee on House Bill No. 130.

The motion to amend was ruled out of order.

Senator Whelan moved that House Bill No. 130 be indefinitely postponed.

Senator Bonzer demanded a roll call on the motion of Senator Whelan.

A roll call was granted.

Senator Erickson demanded a call of the Senate.

A call of the Senate was granted.

The roll was called which revealed all Senators present except Senator Kroeber.

The Sergeant-at Arms was instructed to bring Senator Kroeber to the Senate Chamber.

The Sergeant-at-Arms brought Senator Kroeber into the Senate Chamber.

Senator Erickson moved that the call of the Senate be dispensed with.

Which motion prevailed.

Senator Johnson: "In its present form I am against the bill. I would vote 'no,' but I vote 'aye,' however, for the purpose of proposing certain amendments on second reading."

Senator Dubay: "As I feel I am personally interested in this, I would like to be excused from voting."

Senator Eastgate moved that Senator Dubay be not excused from voting.

Senator Johnson moved as a substitute motion that Senator Dubay be excused if desired.

Which motion was lost.

Senator Dubay: "Mr. President, as I told my constituents before I left that if there was nothing done there would be no charges to them. I am voting 'aye'."

ROLL CALL

The question being on the motion of Senator Whelan that House Bill No. 130 be indefinitely postponed, the roll was called and there were ayes, 23; nays, 26.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Miklethun
Coffey	Johnson	Nelson, Barnes
Crandall	Jones	Nelson, Grand Fks.

Messrs.	Messrs.	Messrs.
Drew	Lind	Topp
Dubay	Lowe	Trout
Eastgate	Lynn	Trovatten
Fowler	Matthaei	Watt
Fredrickson	McGillic	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kamrath	Strehlow
Braaten	Kolpin	Stucke
Brostuen	Kroeber	Thatcher
Erickson	Lemke	Thorson
Ettestad	Marshall	Vinje
Fine	McDonald	Whelan
Greene, Cavalier	Mutchler	Wog
Greene, Stutsman	Owings	Young
Handley	Peterson	

So the motion was lost.

The question was on the pending substitute motion of Senator Bonzer that the Minority report of the Standing Committee on House Bill No. 130 be adopted.

Senator Bonzer renewed his demand for a roll call.

A roll call was granted.

ROLL CALL

The question being on the substitute motion of Senator Bonzer, that the report of the Standing Committee recommending that House Bill No. 130 do pass, be adopted, the roll was called and there were ayes, 27; nays, 22.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Owings
Braaten	Kamrath	Peterson
Brostuen	Kolpin	Stucke
Erickson	Kroeber	Thatcher
Ettestad	Lemke	Thorson
Fine	Marshall	Vinje
Greene, Cavalier	McDonald	Whelan
Greene, Stutsman	Mutchler	Wog
Handley	Nelson, Barnes	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Miklethun
Coffey	Jones	Nelson, Grand Fks.
Crandall	Lind	Strehlow
Drew	Lowe	Topp
Dubay	Lynn	Trout
Eastgate	Matthaei	Trovatten
Fowler	McGillic	Watt
Fredrickson		

So the motion prevailed and House Bill No. 130 was recommended for passage.

Senator Brostuen: "I am voting 'aye' for the purpose of giving Senator Johnson a chance to offer an amendment to the bill on second reading."

Senator Etestad: "I am voting 'aye' for the purpose of putting the bill on the Calendar so we can consider the amendments."

Senator Handley: "When I received notice to attend that session, I believed that it was a legal notice and would be a legal session, and I still believe it, therefore I vote 'aye'."

Senator Johnson: "Once again, I want to explain my vote by saying that I vote 'aye' for the purpose of putting the bill on second reading in order to make certain amendments."

Senator Wog: "I am going to vote 'aye' on this Bill so we may put the bill on the Calendar and consider further amendments."

The Majority of your Committee on Insurance made the following report:

Mr. President: A Majority of your Committee on Insurance to whom was referred:

House Bill No. 185. A Bill for an Act Requiring the Commissioner of Insurance to Deposit All Receipts of the Department With the State Treasurer, and Providing for the Establishment of an Insurance Department Operating Account, and Requiring All Expenses of the Insurance Department to Be Paid Out of Such Insurance Department Operating Account. Repeal.

Have had the same under consideration and recommend that the same do pass.

GEORGE V. COFFEY,
J. T. MCGILLIC,
R. A. OWINGS,
GUST WOG,
J. E. EASTGATE,
W. E. MATTHAEI, Chairman.

A Minority of your Committee on Insurance made the following report:

Mr. President: A Majority of your Committee on Insurance to whom was referred:

House Bill No. 185. A Bill for an Act Requiring the Commissioner of Insurance to Deposit All Receipts of the Department With the State Treasurer, and Providing for

the Establishment of an Insurance Department Operating Account, and Requiring All Expenses of the Insurance Department to Be Paid Out of Such Insurance Department Operating Account. Repeal.

Have had the same under consideration and recommend that the same be indefinitely postponed.

C. W. FINE,
L. O. FREDRICKSON.

Senator Owings moved that the report of the Majority be adopted, which motion prevailed and the report was adopted, and House Bill No. 185 was recommended for passage.

The President announced the appointment of Senators Jones, Lowe and Lind as the Senate Conference Committee on Senate Bill No. 54.

Also,

Senators Gronvold, Fredrickson and Thatcher as a Senate Conference Committee on Senate Bill No. 267.

Also,

Senators Fine, Gronvold and Dubay as a Senate Conference Committee on Senate Bill No. 107.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 6, 1935.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 56, Senators Cain, Coffey and Thorson.

And as a Conference Committee on House Bill No. 54, Senators Jones, Lowe and Lind.

And on House Bill No. 107, Senators Fine, Gronvold and Dubay.

And on House Bill No. 27, Senators Gronvold, Fredrickson and Thatcher.

And on House Bill No. 267, Senators Ettestad, Fowler and Lemke.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Fowler moved that the Senate do now recess until 10:00 A. M., tomorrow morning.

WEDNESDAY, MARCH 6, 1935

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Senator Fine moved as a substitute motion that the Senate do now recess until 8:00 P. M., this evening.

Which motion was lost.

The question was on the motion of Senator Fowler that the Senate recess until 10:00 A. M.

Which motion prevailed.

The Senate stood recessed.

F. E. TUNELL,
Secretary.

FIFTY-EIGHTH DAY AFTER RECESS AND THE
FIFTY-NINTH DAY

Senate Chamber,
Bismarck, North Dakota,
March 7, 1935.

The Senate convened at 10:00 A. M. pursuant to recess, President pro tem. Marshall presiding.

Senator Fowler moved that the Senate be at ease.

Which motion prevailed.

The President pro tem. called Senator Owings to the chair to preside.

The President pro tem. resumed the chair and called the Senate to order.

SECOND READING OF HOUSE BILLS

Senator Cain moved that action on House Bills Nos. 165 and 185 be deferred for a short while.

Which motion prevailed.

Senator Fredrickson moved that House Bill No. 58 be placed at the head of the calendar.

Which motion prevailed.

Senator Fredrickson moved that House Bill No. 58 be amended as follows:

At the end of the title strike out the period and insert a semi-colon and the following language: "imposing certain duties on the Board of Administration in relation thereto when funds may be obtained from the Federal Government for the above purposes; and declaring an emergency."

Which motion prevailed.

Senator Fredrickson moved that the rules be suspended and that House Bill No. 58, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 37; nays, 1; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Miklethun
Braaten	Handley	Mutchler
Brostuen	Jones	Nelson, Barnes
Cain	Kamrath	Nelson, Grand Fks.
Coffey	Kolpin	Owings
Crandall	Kroeber	Stucke
Drew	Lemke	Topp
Eastgate	Lind	Trout
Erickson	Lowe	Vinje
Ettestad	Lynn	Whelan
Fowler	Marshall	Wog
Fredrickson	McDonald	Young
Greene, Cavalier		

Those voting in the negative were:

Messrs.
Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Dubay	Matthaei	Thatcher
Fine	McGillic	Trovatten
Gronvold	Peterson	Watt
Johnson	Strehlow	

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Fredrickson moved that the vote by which House Bill No. 58 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator McDonald asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator McDonald moved that the vote by which Senate Bill No. 161 was lost be reconsidered.

Which motion prevailed.

Senator McDonald moved that the Senate do not concur in the House amendments to Senate Bill No. 161 and that a Conference Committee be appointed.

Which motion prevailed.

Senator Stucke moved that the opinion from the Attorney General's office as read from the desk yesterday, be printed in the Journal.

Which motion prevailed.

State of North Dakota
OFFICE OF ATTORNEY GENERAL
Bismarck

March 6, 1935.

Honorable A. S. Marshall,
President of the Senate,
Bismarck, N. Dak.

OPINION

Dear Senator:

This office has been requested by members of the Senate to submit to you an opinion relative to the Special Session that was called by Governor Langer in 1934, and to the validity of that call and of the attempted revocation thereof by the Acting Governor after the removal of Governor Langer from his office.

There is no question that under Section 75 of our Constitution the Chief Executive has the right and power to convene the Legislative Assembly on extraordinary occasions and to call special sessions when in his opinion the affairs of State require such action. In this case, however, the call for the special session was issued by Governor Langer while court proceedings were pending for his removal from the office of Chief Executive, and the question has been raised whether or not under those facts his call for the special session was legal, the Court having held that he became disqualified to hold that office at a date prior to the issuance of the call. When this call was issued Lieutenant Governor Olson had filed proper oath of office with the Secretary of State and demanded that Governor Langer surrender to him the office of Governor, but he had yet performed none of the duties of that office, and in fact did not perform any of those duties until the Supreme Court had held Governor Langer disqualified, and that was at a date subsequent to the issuance of the call for the Special Session. In other words, when this call was issued Lieutenant Governor Olson was legally entitled to perform the duties of the office, but he did not in fact perform any of them until after the call had been issued. It is a well settled rule that an officer, who continues to hold his office after he has been disqualified, and

until his legal successor assumes the actual performance of the duties of his office, remains during that period a de facto officer, and that all of the duties which he performs during that time are legal and valid to the same effect as if he were then a de jure officer. A similar condition arose when Governor Moodie was elected to the office of Governor. His disqualification to hold that office existed at the time he assumed the office of Governor and all duties which he performed between the date of his induction into office until our Supreme Court found that he was in fact ineligible for that office were held to be valid and legal in that decision, and on the authority of this Moodie decision, I am of the opinion that the call of Governor Langer for this Special Session made while he was performing the duties of the office of Chief Executive and as a de facto officer was legal to the same effect as if such call had been issued by the de jure Governor.

The next question that was submitted is whether or not that call for a special session could be revoked before the Legislature convened pursuant to that call. I have been unable to find any decisions bearing directly on this point, except one which I shall refer to later, but it is a general principle well established, I believe, that when a power is given to an officer to do a certain thing such as the power of appointment of a subordinate and has once been exercised, the repository of such power has no further control, unless the statute or constitution granting that power specifically provides otherwise. Board of Education vs. McChesney (Ky.) 235 Ky. 692, 32 S. W. 2nd Edition, 26. Nowhere can be found any authority giving the power to the Governor to revoke a proclamation of that kind. The Constitution in this instance is a grant of power to the Governor to do that act and perform that duty of calling a special session of the Legislature when in his opinion the affairs of State require, but there is no constitutional provision granting him the power to revoke it after once it is issued, and consequently I am of the opinion that the attempted revocation of the Governor's proclamation in this case by his successor was illegal and inoperative.

In writing this opinion, I am aware of the decision of the Supreme Court of Nebraska in the case of *People ex rel A. W. Tennant vs. Delos Parker* rendered in 1873 and found at 3 Nebraska 409, 19 Am. Rep. 634, which decision is contrary to the views here expressed. This decision was rendered by a divided court of two to one, and the dissenting opinion written by Chief Justice Mason appears to be better founded in law. In that case the proclamation for a special session had been issued in a clandestine and fraudulent manner during the temporary absence from the State of the duly acting Governor. The majority opinion cites no authorities and appears to have been rendered hastily and with a purpose of doing justice to the person whose imprisonment was at issue in that case rather than to decide the real merit of the legality or illegality of the revocation of the proclamation issued for the special session involved in that action, and as stated in the majority opinion "only a few hours were

given the Court for the determination of the grave questions involved." This Nebraska case is cited in 25 R. C. L. 383 as the only one bearing directly upon the question here involved, and the following reasoning of the dissenting opinion appeals to me as stating the law more correctly and founded on better reasoning than the majority opinion in that case:

"The authority to vitalize and call into life the dormant power, granted in the constitution, to convene the legislature on extraordinary occasions is vested in the executive. The way in which he can do this is specifically pointed out. It is to be done by the executive proclamation. Such a proclamation having been issued, the legislature is as much bound to assemble as they are on the first Monday in January, biennially after July, 1866, which is expressly required by the constitution. The proclamation convening the legislature, calls into life a constitutional requirement which is dormant until the proclamation is issued. After that time, the executive can no more suspend the operation of this constitutional provision, which requires the legislature to meet at the time named in his proclamation, than he can revoke or suspend any other constitutional requirement. He can no more revoke that constitutional provision, than he can take away from this court the jurisdiction conferred on it by the constitution. If the former may be revoked so may the latter. There is the same power to revoke in the one case as in the other. In the latter case the jurisdiction of the court lies dormant until vitalized by legislative action providing for its exercise; in the former, the legislature was scattered over the state, and their powers were dormant until called into life by the executive judgment, that an extraordinary occasion existed, and the issuance of the proclamation convening them, and stating therein the objects for which they are so convened. The objects stated therein are the limits of their jurisdiction, as the constitution expressly so provides. To this extent the legislature are required to exercise their discretion and judgment, and to meet and consider the objects named in the proclamation. The executive cannot revoke a law or take away a right, and the attempt to do so is an act of usurpation. The legislature are compelled by law to come together in obedience to the proclamation convening them, and having so assembled together in obedience to law are entitled to their pay and mileage. If the executive can revoke his proclamation of convocation, he destroys this legal and vested right to pay and mileage. Are legislators to be compelled to assemble at the capitol from remote parts of the state; to leave their homes and their business and enter upon the public service; to march to the field of their labors, and turning their attention to the objects stated in the proclamation, prepare bills to meet the extraordinary occasion mentioned therein, and when they have arrived at the capital, be dispersed and sent home by a proclamation of revocation, empty handed and without pay, insulted by the executive, and informed by the supreme court that they are an illegal body?

"This imaginary power of revocation is without foundation in reason. Why say, the executive can revoke before

the two houses organize and not after? If one house organize before the other, may he revoke as to the unorganized house, and not as to the other? Where is the law or reason for fixing the limit of this power of revocation, if it exist at all, at the precise instant of time before they organize? But we are not informed whether the dangerous power of revocation ceases when a temporary organization is effected, or not until a permanent organization has taken place. Where is the law for the establishment of an arbitrary limit to this dangerous power of revocation? There is none. It is without law or reason to support it."

While there may be some doubt, yet I am of the opinion that the call for the Special Session in 1934 by Governor Langer was legal and that its attempted revocation by Lieutenant Governor Olson was unwarranted in law, and I am authorized by Attorney General Sathre to state that he concurs in this opinion.

Yours respectfully,

CAV-RGM

CHAS. A. VERRET,
Assistant Attorney General.

Senator Erickson moved that the vote by which House Bill No. 48 was lost be reconsidered.

Which motion prevailed.

Senator Bonzer moved that the House be requested to return House Bills Nos. 295 and 93 for further consideration.

Which motion prevailed.

Senator Peterson moved that House Bill No. 48 be placed at the foot of the calendar.

Which motion prevailed.

Senator Owings moved that the messages from the House returning Senate Bills Nos. 175, 98 and 88 be returned to the House for correction.

Which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 7, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 19.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 7, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Which the Senate has amended as shown in Senate Journal of March 4, page 65, and further amendments as follows:

At the end of the title, strike out the period and insert a semi-colon and the following language: "imposing certain duties on the Board of Administration in relation thereto when funds may be obtained from the Federal Government for the above purposes; and declaring an emergency."

Very respectfully.

F. E. TUNELL,
Secretary.

Senator Fredrickson asked unanimous consent to return to the Fifth Order of Business.

Which request was granted.

REPORT OF STANDING COMMITTEES

The Committee on Appropriations made the following report:

Mr. President: Your Committee on Appropriations to whom was referred:

House Bill No. 196. A Bill for an Act Providing for the Creation and Establishment of a Labor Division Within the Department of Agriculture and Labor, and Providing for the Qualification and Making Provision for the Appointment of a Deputy Within the Department of Agriculture and Labor, to Represent Labor.

Have had the same under consideration and recommend that the same be amended as follows:

Strike out Section 3 of the bill as amended by the Committee on Agriculture and Labor and insert in lieu thereof the following:

"Section 3. The regularly appointed Deputy Commissioner of Agriculture and Labor, as now provided by statute and for the payment of whose salary an appropriation has been made by the Legislature, shall be the official head of the Labor Division, but shall receive no additional fee or compensation for his services as such official head of the Labor Division hereby created,"

In Section 4 of the amendments as recommended by the

Committee on Agriculture and Labor, strike out all provisions after the words "and Labor relations."

And when so amended recommend the same do pass.

L. O. FREDRICKSON,
Chairman.

Senator Fredrickson moved that the report be adopted, which motion prevailed and the report was adopted.

SECOND READING OF HOUSE BILLS

House Bill No. 299. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 206 of the 1933 Session Laws of the State of North Dakota, Providing for the Sale of Personal Property or Chattels Ordered Sold by Judicial Action; Providing for the Publication of Notice of Sale, Repealing Acts in Conflict Herewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 31; nays, 11; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	Nelson, Barnes
Braaten	Kamrath	Owings
Brostuen	Kolpin	Stucke
Drew	Kroeber	Thorson
Dubay	Lind	Topp
Erickson	Marshall	Trout
Fine	Matthaei	Trovatten
Fredrickson	McDonald	Vinje
Greene, Stutsman	Miklethun	Wog
Handley	Mutchler	Young
Johnson		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Greene, Cavalier	Nelson, Grand Fks.
Coffey	Gronvold	Strehlow
Crandall	Lowe	Watt
Eastgate	Lynn	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Ettestad	McGillic	Thatcher
Fowler	Peterson	Whelan
Lemke		

So the bill passed and the title was agreed to.

Senator Cain moved that the vote by which House Bill No. 299 was passed be reconsidered.

Which motion was lost.

Senator Fine asked unanimous consent to return to the Sixth Order of Business.

Which request was granted.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 107 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 140, Session Laws of 1933, Defining Usury.

Have had the same under consideration and beg leave to report that we cannot agree. Recommend that the Committee be discharged and a new Conference Committee be appointed.

For the Senate:

C. W. FINE,
F. T. GRONVOLD,
ALBERT DUBAY.

For the House:

VAL. P. WOLF,
F. BORN,
W. S. PLACE.

Senataor Fine moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on Senate Bill No. 57 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 57. A Bill for an Act to Amend and Re-enact Chapter 185 of Session Laws of 1929 and Section 3 of Chapter 211, Session Laws of 1927, Relating to the Regulation of the Practice of Pharmacy, and Declaring an Emergency.

Have had the same under consideration and recommend the following amendments:

In line 1 of the title, following the word "re-enact" insert the following:

"Section 486 of the Compiled Laws of North Dakota of

1913, as amended and re-enacted by Section 2 of Chapter 211 of the Session Laws of 1927, and as further amended and re-enacted by”.

In line 2 of the title, strike out the figure “3” and insert the figure “2.” And in the same line, following the figures “1927” strike out the comma and insert a period, and strike out the following language in lines 3 and 4: “relating to the regulation of the practice of Pharmacy, and declaring an emergency.”

In line 1 of Section 1, following the word “Amendment.)” Strike out the balance of line 1 and all of line 2, and insert the following: “Section 486 of the Compiled Laws of North Dakota of 1913 as amended and re-enacted by Section 2 of Chapter 211 of the Session Laws of 1927 and as further amended and re-enacted by Chapter 185 of the Session Laws of 1929, is hereby amended and re-enacted to read as follows:”.

On page 2 of the engrossed bill, Section 2, line 1, following the word “Amendment” insert the following: “Section 487 of the Compiled Laws of North Dakota of 1913, as amended and re-enacted by” and in the same line strike out the second figure “2” and insert in lieu thereof the figure “3.”

On page 3 of engrossed bill, at end of Section 2, strike out the following: “Provided, no application for examination and registration as an Assistant Pharmacist shall be accepted or granted after July 1st, 1935.”

For the Senate:

MAX H. STREHLOW,
GUST WOG,
G. A. JONES.

For the House:

MATH DAHL,
GEO. H. SAUMUR,
AXEL OLSON.

Senator Strehlow moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Fine moved that the rules be suspended and that Senate Bill No. 57, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 57. A Bill for an Act to Amend and Re-enact Chapter 185 of Session Laws of 1929 and Section 3 of Chapter 211, Session Laws of 1927, Relating to the Regulation of the Practice of Pharmacy, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Gronvold	McGillic
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Coffey	Jones	Nelson, Grand Fks.
Crandall	Kamrath	Owings
Drew	Kolpin	Stucke
Dubay	Kroeber	Thorson
Eastgate	Lind	Trout
Erickson	Lowe	Trovatten
Fine	Lynn	Vinje
Greene, Cavalier	Marshall	Wog
Greene, Stutsman	McDonald	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Miklethun	Topp	Whelan
Strehlow	Watt	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Fredrickson	Peterson
Ettestad	Lemke	Thatcher
Fowler	Matthaei	

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Bonzer moved that the vote by which Senate Bill No. 57 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 7, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Subdivision (e) of Section 1 of Chapter 161, Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehieles, and Declaring an Emergency.

Also,

Senate Bill No. 98. A Bill for an Act to Amend and Re-

enact Sub-section (3) of Section 1, Chapter 196, Session Laws of North Dakota for the Year 1927, and Declaring an Emergency.

Also,

Senate Bill No. 175. A Bill for an Act Providing for a System of Municipal Control of the Purchase, Sale, Importation, Transportation, Handling, Possessing, Dispensing and Use of Alcohol and Alcoholic Beverages by Any Incorporated City of the State Having a Population of Two Hundred or More; the Levy and Collection of a Tax Thereon; the Duties of the State Treasurer; Providing for Injunctions Against and Abatement of Liquor Nuisances; the Continuing in Force of the Present Statutory Regulations Prohibiting the Manufacture, Sale and Possession of Intoxicating Liquors; Providing Penalties for Violations of the Provisions of This Act; and Declaring an Emergency.

Which the House has amended.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 7, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 306. A Bill for an Act Authorizing the Governor to Enter Into Agreements with the President of the United States Under an Act of Congress Entitled "An Act for the Relief of Unemployed Through the Performance of Useful Public Work, and for Other Purposes," Approved March 31, 1933, and Other Acts Supplemental Thereto; Authorizing the Governor to Enter Into Agreements With Private Land Owners, Declaring the Rights and Duties of the Conservation Commission and of Such Land Owner Thereunder and Providing Procedure for Giving Notice to Mortgagees and Lien Holders Against Lands Affected, and Declaring an Emergency.

Which the House has passed unchanged.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 54 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 54. 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.

Have had the same under consideration and recommend that the House concur in the Senate amendments.

For the Senate:

G. A. JONES,
ALEX LIND,
WM. J. LOWE.

For the House:

ARLO E. BEGGS,
KARL H. BRUNSDALE,
T. D. HURD.

Senator Jones moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on House Bill No. 60 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 60. 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 House recede from its amendment to line 3, item 17, page 2, and the item to be \$8,000.00.

That the Senate recede from its amendment to line 28, item 15, page 2, and allow the item to be \$8,000.00.

For the Senate:

MAX H. STREHLOW,
S. S. McDONALD,
HARRY C. LYNN.

For the House:

W. S. PLACE,
A. J. McLARTY,
T. D. HURD.

Senator Strehlow moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on House Concurrent Resolution A-4 made the following report:

Mr. President: Your Conference Committee to whom was referred:

HOUSE CONCURRENT RESOLUTION A-4

A Concurrent Resolution Providing for the Amendment of Section 173 of Article 10 of the Constitution of North Dakota, as Amended by Article 41 of the Amendments Thereof, and as Amended by Chapter 84 of the 1933 Session Laws of the State of North Dakota, Relating to County Officers.

Have had the same under consideration and recommend that the House do concur to the Senate amendments.

For the Senate:

R. A. OWINGS,
A. C. NELSON,
MILTON R. YOUNG.

For the House:

W. J. GODWIN,
GEO. ALJETS,
L. E. GOODLAXON.

Senator Owings moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on House Bill No. 38 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 38. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Have had the same under consideration and recommend:

That in line 3, of the engrossed bill, strike out the figures "\$16,000.00," and insert in lieu thereof the figures "\$15,000.00."

In line 8, of the engrossed bill, strike out the figures "\$2,250.00," and insert in lieu thereof the figures "\$2,000.00."

For the Senate:

JOHN CRANDALL,
J. T. MCGILLIC,
WM. J. LOWE.

For the House:

ARLO E. BEGGS,
M. H. HOLTE,
J. P. JOHNSON.

Senator Crandall moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Brostuen moved that the Senate recess until 1:00 o'clock P. M.

Which motion prevailed.

The Senate convened pursuant to recess taken, President pro tem. Marshall presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign

House Bill No. 362. A Bill for an Act to Amend Section 25, Chapter 97 of the Session Laws of North Dakota for 1933, Relating to Relief for the Poor, Prescribing the Establishment of a County Welfare Board by the Board of County Commissioners.

Also,

House Bill No. 3. A Bill for an Act to Amend and Re-enact Section 6072 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 287. A Bill for an Act Creating and Establishing a Lien in Connection With the Planting, Cultivation and Harvesting of Sugar Beets, to Be Known as Sugar Beet Crop Production Lien, Providing the Manner in Which Such Lien Shall Be Perfected, the Priority Thereof, Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 116. A Bill for an Act to Amend and Re-enact Section 9807 of the Compiled Laws of North Dakota 1913; Defining Riot.

Also,

House Bill No. 311. A Bill for an Act to Amend and Re-enact Section 470 of the Compiled Laws of the State of North Dakota for 1913 Being Section 13 of Chapter 189 Session Laws of 1911 Relating to Penalties for Violation of the Laws Concerning the Practice of Medicine and Surgery.

Also,

House Bill No. 156. A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for the Years 1935 and 1936 for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

Also,

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 6077 of the 1913 Compiled Laws of the State

of North Dakota Relating to the Rate of Interest on Judgments.

Also,

House Bill No. 176. A Bill for an Act Authorizing the Board of County Commissioners to Provide Room or Rooms in the Courthouse for the Exclusive Use of ex-Service Men Who Served in Any War in Which the United States Has Been Engaged.

Also,

House Bill No. 170. A Bill for an Act to Amend and Re-enact Section 6625 of the Compiled Laws of 1913, With Regard to a Standard Fire Insurance Policy.

Also,

House Bill No. 236. A Bill for an Act to Amend and Re-enact Section 409 of the Compiled Laws of North Dakota for 1913 as Amended by Chapter 105 of the Session Laws of North Dakota for 1929, Relating to Compensation of President, Vice President of the Board of Health and County Superintendent of Health, Mileage and Expenses, and Repealing All Acts in Conflict Therewith.

Also,

House Bill No. 67. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerk-hire, Postage and Travel Expenses of the Office of Department of Agriculture and Labor, and Declaring an Emergency.

Also,

House Bill No. 292. A Bill for an Act Authorizing and Empowering Cities and Villages to Issue Bonds for the Purpose of Purchasing Outstanding Special Improvement Warrants, and Declaring an Emergency.

Also,

House Bill No. 5. A Bill for an Act to Amend and Re-enact Section 2 and to Repeal Sections 3 and 4, Chapter 138, Session Laws of North Dakota for the Year 1929.

Also,

House Bill No. 353. A Bill for an Act to Amend and Re-enact Section 3080a4 of the Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Labeling of Gasoline and Kerosene.

Also,

House Bill No. 263. A Bill for an Act Amending and Re-enacting Section 2 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Acts Amendatory Thereof; Section 3C, Section 3G and Section 3G (1) of Chapter 260 of the Session Laws of North Dakota for the Year 1929; Sub-section B, Sub-section D and Sub-section I of

Section 4 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 as Amended by Chapter 314 of the Session Laws of North Dakota for the Year 1931; Section 10-1 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Acts Amendatory Thereof; Section 13 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, All Constituting Parts of the Workmen's Compensation Act of the State of North Dakota and Further Making it Illegal to Employ Workers Not Protected by Workmen's Compensation Insurance and Giving the Workmen's Compensation Bureau Power to Enjoin Such Unlawful Employments.

Also,

House Bill No. 295. A Bill for an Act Prohibiting Real Estate and Chattel Mortgages Given to Secure the Purchase or Contract Price of Personal or Real Property from Including or Creating a Lien on Any Real or Personal Property Other Than the Property Purchased for Which Said Mortgage is Given to Secure; Invalidating Real and Chattel Mortgages Given in Violation of This Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 204. A Bill for an Act to Repeal Section 10185b of the Supplement to the 1913 Compiled Laws of North Dakota Relating to Prohibiting Smoking in Specified Places, and the Penalties.

Also,

House Bill No. 330. A Bill for an Act to Provide for the Creation of County Parks and for the Organization of a Board of County Park Commissioners and for the Regulation and Control of Said County Parks and Lands Adjacent Thereto.

Also,

House Bill No. 24. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs, Insurance and Upkeep of Grounds.

Also,

House Bill No. 363. A Bill for an Act Directing the Board of Administration of the State of North Dakota to Sell, at Public Auction or Private Sale, Automobiles and Automobile Equipment Purchased by the Beer Commissioner of the State of North Dakota; Authorizing Said Board to Demand, Receive and Take Possession of Such Property; Directing Attorney General to Institute Suits or Proceedings at Request of Board of Administration; Permitting Deduction of Costs and Expenses Connected with Said Sale; Providing for Disposition of Balance of the Receipts and Requiring Report to Governor; Repealing Acts in Conflict and Declaring an Emergency.

Also,

House Bill No. 42. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Also,

House Bill No. 64. A Bill for an Act to Amend and Re-enact Section 35 of Chapter 148 of the 1931 Session Laws, Relating to the Bag and Possession Limits on Protected Game Birds and Prescribing a Penalty for the Violation Hereof.

Also,

House Bill No. 57. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repair and Equipment of the State School of Science at Wahpeton, North Dakota.

Also,

House Bill No. 286. A Bill for an Act to Amend and Re-enact Sections 396b1, 396b2, 396b4, 396b5 and 396b10 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to the Minimum Wage and Hours for Women Workers; Transferring the Duties for the Enforcement of the Said Law From the Workmen's Compensation Bureau to the Department of Agriculture and Labor; Repealing All Acts and Parts of All Acts in Conflict With This Act and Declaring an Emergency.

Also,

House Bill No. 39. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

Also,

House Bill No. 28. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, and General Expenses of the State Historical Society.

Also,

House Bill No. 234. A Bill for an Act Relating to Foreclosure of Real Estate Mortgages Held by the State of North Dakota as Security for Investment of Permanent School Funds, Authorizing the Board of University and School Lands to Accept From Record Title Owner Deed of Conveyance of Mortgaged Land in Lieu of Foreclosure, Affect of Such an Deed, Dispensing With Execution and Delivery of Power of Attorney in Conducting Proceedings for the Foreclosure of Such Mortgages, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 41. A Bill for an Act Making an Appropriation for the Purpose of Indemnifying Owners of Animals

Infected with Bovine Tuberculosis and to Pay Expenses in Connection Therewith.

Also,

House Bill No. 59. 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, North Dakota.

Also,

House Bill No. 55. 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,

House Bill No. 26. A Bill for an Act Making an Appropriation for the Per Diem, Salaries, and General Expenses of the State Livestock Sanitary Board.

Also,

House Bill No. 43. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Also,

House Bill No. 69. A Bill for an Act Making an Appropriation to Make Up the Deficit in the Fund Known as "The Insurance Tax to Fire Departments" 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 of 1913.

Also,

House Bill No. 70. A Bill for an Act Making an Appropriation to Pay the Deficit in the Printing Fund of the Department of Insurance of the State of North Dakota.

Also,

House Bill No. 62. 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, North Dakota.

Also,

House Bill No. 44. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

And the President signed the same in the presence of the Senate.

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 RESOLUTION A-e

Petitioning for the Construction of a Dam on the Missouri River at Big Bend, Between Mannhaven and Garrison, For the Purpose of Impounding the Waters of the Missouri River and Diverting the Same.

Also,

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Also,

Senate Bill No. 19. 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. 194. A Bill for an Act to Amend and Re-enact Section 1162 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for 1933, Relating to Annual, Regular and Special Meetings of Boards of Common School Districts and Providing for Notice of Same and Relating to Attendance, Per Diem and Mileage of School Officers Attending County Meetings, and Declaring an Emergency.

Also,

Senate Bill No. 216. A Bill for an Act Amending and Re-enacting Section 16 of Chapter 196 of the Laws of North Dakota for the Year 1927, and Relating to the Execution, Registration, Certification and Delivery of Bonds Issued by a Municipality.

Also,

Senate Bill No. 229. A Bill for an Act Relating to Foreclosure of Mortgage or Other Lien Upon Real Estate Providing for Service of Summons in Actions to Foreclose Mortgage or Other Lien Upon Real Estate; Providing for Personal Service or Service by Publication; Specifying Manner in Which Unknown Defendants and Representatives of Deceased Defendants May Be Joined; Providing That Said Method Shall Be in Addition to Present Remedies.

Also,

Senate Bill No. 287. A Bill for an Act Authorizing the Workmen's Compensation Bureau to Carry Compensation Insurance on Employees on National Recovery Work Projects and to Calculate and Determine Rates on a State-wide Experience Basis.

Also,

Senate Bill No. 263. A Bill for an Act to Amend and Re-enact Sections 2350, 2412 and 2417 of the Compiled Laws of North Dakota of the Year 1913 Relating to the Military Code of the State of North Dakota; Defining Military Forces; Providing a Board of Armory Supervisors and Defining the Powers Thereof; Fixing the Pay and Allowances of Enlisted Men on Active Duty and Further Providing for the Appointment of an Assistant Adjutant General, His Powers and Duties; the Appointment of a Disbursing Officer, His Powers and Duties; Requiring Officers to Furnish Bonds; Providing Punishment for False Certificates or Returns and for the Misuse of Funds or Property; Providing that State and Municipal Officers and Employees Shall Not Lose Pay While on Duty; Giving Troops Power to Act Outside of Occupied Territory; Providing for the Service of Process of Military Courts; Providing that the Invalidation of a Portion of This Act Shall Not Invalidate the Remainder Thereof and Repealing Sections 2392, 2421, 2432b and 2434 of the Compiled Laws of North Dakota of the Year 1913 and Sections 2423a and 2442a of the 1925 Supplement to the Compiled Laws of North Dakota of the Year 1913 and All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 273. A Bill for an Act to Appropriate the Sum of One Thousand Dollars (\$1,000.00) From Any Moneys in the State Highway Fund for the Purpose of Making a Preliminary Survey and Soundings for the Construction of a Bridge Across the Little Missouri River at or Near the Intersection of the Little Missouri River With the Trail Passing South of Independence and Crossing Section Twenty-nine (S. 29), Township One Hundred Forty-eight (T. 148), Range Ninety-one (R. 91) Dunn County, North Dakota, Approximately Six Miles Northwest of the Fort Berthold Bridge, Also Known as the Four Bears Bridge, Under the Provisions of Chapter Seventy-three (73) of the Laws of North Dakota for the year Nineteen Hundred Nineteen (1919) (Sections 1952a1 and 1952a2 of the 1925 Supplement to the Compiled Laws of 1913) as Amended and Re-enacted by Chapter 161, Laws of 1927, as Amended and Re-enacted by Chapter 140 of the Laws of 1929, and Directing the State Highway Commissioner Forthwith to Designate Said Trail as a Feeder Road to State and Federal Highway No. 8, and to Forthwith Make Said Soundings and Survey, and Select a Bridge Site; and Directing Said Highway Commissioner Forthwith to Construct Such Bridge, and Do All Necessary Preliminary Acts Therein.

Also,

Senate Bill No. 281. A Bill for an Act Relating to the Incorporation of Mutual Aid Non-Profit Corporations, and Defining Their Purposes and Powers and Declaring an Emergency.

Also,

Senate Bill No. 296. A Bill for an Act to Provide for the Creation of Water Conservation Districts; to Provide for Water Conservation Commissioners and Fix Their Powers and Duties; to Provide for a State Water Conservation Commissioner and Fix His Powers and Duties; to Provide for the Acquisition of Property Rights and the Assessment of Benefits Against the Property Affected, and to Provide for the Levy of Special Assessments and Prescribing the Duties of County Commissioners Relating to Water Conservation Projects, Providing for the Exemption of Federal Projects and Agencies, and Declaring an Emergency.

Also,

Senate Bill No. 310. A Bill for an Act Authorizing Counties, Cities, Villages, School Districts and Park Districts to Accept Devises, Bequests, Legacies and Gifts, Provided That the Title Thereto Shall Be Held in Trust; Regulating the Handling and Use of Such Property and its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made; and Declaring an Emergency.

Also,

Senate Bill No. 328. A Bill for an Act Authorizing the State Forester to Accept, Acquire or Lease Land for State Forests and State Parks; Providing for the Management and Development Thereof and the Disposition of Income From Such Lands.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 7, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 362. A Bill for an Act to Amend Section 25, Chapter 97 of the Session Laws of North Dakota for 1933, Relating to Relief for the Poor, Prescribing the Establishment of a County Welfare Board by the Board of County Commissioners.

Also,

House Bill No. 3. A Bill for an Act to Amend and Re-enact Section 6072 of the Supplement to the 1913 Compiled Laws of North Dakota.

Also,

House Bill No. 287. A Bill for an Act Creating and Establishing a Lien in Connection With the Planting, Cultivation and Harvesting of Sugar Beets, to Be Known as Sugar Beet Crop Production Lien, Providing the Manner in Which Such Lien Shall Be Perfected, the Priority Thereof, and Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 116. A Bill for an Act to Amend and Re-enact Section 9807 of the Compiled Laws of North Dakota 1913; Defining Riot.

Also,

House Bill No. 311. A Bill for an Act to Amend and Re-enact Section 470 of the Compiled Laws of the State of North Dakota for 1913 Being Section 13 of Chapter 189 Session Laws of 1911, Relating to Penalties for Violation of the Laws Concerning the Practice of Medicine and Surgery.

Also,

House Bill No. 156. A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for the Years 1935 and 1936 for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

Also,

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 6077 of the 1913 Compiled Laws of the State of North Dakota Relating to the Rate of Interest on Judgments.

Also,

House Bill No. 176. A Bill for an Act Authorizing the Board of County Commissioners to Provide Room or Rooms in the Courthouse for the Exclusive Use of ex-Service Men Who Served in Any War in Which the United States Has Been Engaged.

Also,

House Bill No. 170. A Bill for an Act to Amend and Re-enact Section 6625 of the Compiled Laws of 1913, With Regard to a Standard Fire Insurance Policy.

Also,

House Bill No. 236. A Bill for an Act to Amend and Re-enact Section 409 of the Compiled Laws of North

Dakota for 1913 as Amended by Chapter 195 of the Session Laws of North Dakota for 1929, Relating to Compensation of President, Vice President of the Board of Health and County Superintendent of Health, Mileage and Expenses, and Repealing All Acts in Conflict Therewith.

Also,

House Bill No. 67. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerk-hire, Postage and Travel Expenses of the Office of Department of Agriculture and Labor, and Declaring an Emergency.

Also,

House Bill No. 292. A Bill for an Act Authorizing and Empowering Cities and Villages to Issue Bonds for the Purpose of Purchasing Outstanding Special Improvement Warrants, and Declaring an Emergency.

Also,

House Bill No. 5. A Bill for an Act to Amend and Re-enact Section 2 and to Repeal Sections 3 and 4, Chapter 138, Session Laws of North Dakota for the Year 1929.

Also,

House Bill No. 353. A Bill for an Act to Amend and Re-enact Section 3080a4 of the Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Labeling of Gasoline and Kerosene.

Also,

House Bill No. 263. A Bill for an Act Amending and Re-enacting Section 2 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Acts Amendatory Thereof; Section 3C, Section 3G and Section 3G (1) of Chapter 260 of the Session Laws of North Dakota for the Year 1929; Sub-section B, Sub-section D and Sub-section I of Section 4 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 as Amended by Chapter 314 of the Session Laws of North Dakota for the Year 1931; Section 10-1 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Acts Amendatory Thereof; Section 13 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, All Constituting Parts of the Workmen's Compensation Act of the State of North Dakota and Further Making it Illegal to Employ Workers Not Protected by Workmen's Compensation Insurance and Giving the Workmen's Compensation Bureau Power to Enjoin Such Unlawful Employments.

Also,

House Bill No. 295. A Bill for an Act Prohibiting Real Estate and Chattel Mortgages Given to Secure the Purchase or Contract Price of Personal or Real Property from Including or Creating a Lien on Any Real or Personal Prop-

erty Other Than the Property Purchased for Which Said Mortgage is Given to Secure; Invalidating Real and Chattel Mortgages Given in Violation of This Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 204. A Bill for an Act to Repeal Section 10185b of the Supplement to the 1913 Compiled Laws of North Dakota Relating to Prohibiting Smoking in Specified Places, and the Penalties.

Also,

House Bill No. 330. A Bill for an Act to Provide for the Creation of County Parks and for the Organization of a Board of County Park Commissioners and for the Regulation and Control of Said County Parks and Lands Adjacent Thereto.

Also,

House Bill No. 24. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs, Insurance and Upkeep of Grounds.

Also,

House Bill No. 363. A Bill for an Act Directing the Board of Administration of the State of North Dakota to Sell at Public Auction or Private Sale, Automobiles and Automobile Equipment Purchased by the Beer Commissioner of the State of North Dakota; Authorizing Said Board to Demand, Receive and Take Possession of Such Property; Directing Attorney General to Institute Suits or Proceedings at Request of Board of Administration; Permitting Deduction of Costs and Expenses Connected with Said Sale; Providing for Disposition of Balance of the Receipts and Requiring Report to Governor; Repealing Acts in Conflict and Declaring an Emergency.

Also,

House Bill No. 42. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Also,

House Bill No. 64. A Bill for an Act to Amend and Re-enact Section 35 of Chapter 148 of the 1931 Session Laws, Relating to the Bag and Possession Limits on Protected Game Birds and Prescribing a Penalty for the Violation Hereof.

Also,

House Bill No. 57. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and

Repairs and Equipment of the State School of Science at Wahpeton, North Dakota.

Also,

House Bill No. 286. A Bill for an Act to Amend and Re-enact Sections 396b1, 396b2, 396b4, 396b5 and 396b10 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to the Minimum Wage and Hours for Women Workers; Transferring the Duties for the Enforcement of the Said Law From the Workmen's Compensation Bureau to the Department of Agriculture and Labor; Repealing All Acts and Parts of All Acts in Conflict With This Act and Declaring an Emergency.

Also,

House Bill No. 39. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

Also,

House Bill No. 28. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, and General Expenses of the State Historical Society.

Also,

House Bill No. 234. A Bill for an Act Relating to Foreclosure of Real Estate Mortgages Held by the State of North Dakota as Security for Investment of Permanent School Funds, Authorizing the Board of University and School Lands to Accept From Record Title Owner Deed of Conveyance of Mortgaged Land in Lieu of Foreclosure, Affect of Such an Deed, Dispensing With Execution and Delivery of Power of Attorney in Conducting Proceedings for the Foreclosure of Such Mortgages, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

House Bill No. 41. A Bill for an Act Making an Appropriation for the Purpose of Indemnifying Owners of Animals Infected with Bovine Tuberculosis and to Pay Expenses in Connection Therewith.

Also,

House Bill No. 59. 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, North Dakota.

Also,

House Bill No. 55. 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,

House Bill No. 26. A Bill for an Act Making an Appropriation for the Per Diem, Salaries, and General Expenses of the State Livestock Sanitary Board.

Also,

House Bill No. 43. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Also,

House Bill No. 69. A Bill for an Act Making an Appropriation to Make Up the Deficit in the Fund Known as "The Insurance Tax to Fire Departments" for the Purpose of Paying Insurance Tax to the Various Fire Departments of the State in compliance with the provisions of Sections 8993 to 3998 Inclusive, of the Compiled Laws of 1913.

Also,

House Bill No. 70. A Bill for an Act Making an Appropriation to Pay the Deficit in the Printing Fund of the Department of Insurance of the State of North Dakota.

Also,

House Bill No. 62. 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, North Dakota.

Also,

House Bill No. 44. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Peterson moved that House Bill No. 48 be placed at the head of the calendar.

Which motion prevailed.

Senator McDonald moved that the vote by which House Bill No. 210 was indefinitely postponed, be reconsidered.

Which motion prevailed.

Senator McDonald moved that House Bill No. 210 be placed upon the calendar.

Which motion prevailed.

Senator Whelan moved that the vote by which House Bill No. 135 was indefinitely postponed, be reconsidered.

Senator Wog demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the motion of Senator Whelan to reconsider House Bill No. 135, the roll was called and there were ayes, 29; nays, 14; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Peterson
Braaten	Handley	Strehlow
Brostuen	Johnson	Stucke
Cain	Kamrath	Thatcher
Coffey	Kolpin	Thorson
Drew	Kroeber	Trout
Dubay	Lemke	Vinje
Ettestad	Lynn	Whelan
Fowler	Marshall	Wog
Fredrickson	Nelson, Barnes	Young
Greene, Cavalier	Owings	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Eastgate	Matthaei	Nelson, Grand Fks.
Gronvold	McDonald	Topp
Jones	McGillie	Trovatten
Lind	Miklethun	Watt
Low	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Erickson	Fine

So the motion prevailed.

Senator Jones: "I want to explain my vote on this. Every coal miner in the State of North Dakota is against this bill. They were down here by the hundreds from all over the State and I cannot understand us who live in the Western part of the State, who live almost on a coal bed, that we should want to do anything that would hurt the coal industry. I received letters this morning in regard to this Bill stating that it was going to be brought back and put on the calendar and I think we would be doing an injustice to the coal miners to bring this Bill back. I vote No."

Senator Peterson: "I understand that some of the Senators have not had proper consideration in regard to this Bill

and I therefore, vote 'Aye' for reconsideration. However, I serve notice on the Senate that I will vote against the Bill on final passage.

Senator Stucke: "I want to explain my vote. I think we could just be a little courteous to some of our brother Senators. I expect to follow along those lines as long as I am here and I am going to vote 'Aye,' reserving the right to vote the other way if it is brought back."

Senator Bonzer moved that House Bill No. 135 be placed at the foot of the calendar.

Which motion prevailed.

Senator Matthaai asked consent to withdraw the Conference Committee report on House Bill No. 96 for the purpose of conferring further with the Committee from the House.

Which request was granted.

Senator Gronvold asked unanimous consent to return to the Sixth Order of Business.

Which request was granted.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 27 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 27. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and Magpie Bounty as Provided for by Sections 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

Have had the same under consideration and recommend that the House concur in the Senate amendments to House Bill No. 27.

For the Senate:

F. T. GRONVOLD,
L. O. FREDRICKSON.

For the House:

WM. H. BETTENHAUSEN,
JAMES CADDELL,
JOHN J. ADAM.

Senator Gronvold moved that the report be adopted, which motion prevailed and the report was adopted.

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 267. A Bill for an Act to Authorize, Upon the Option of the Voters, the Creation of a Light and Power Users Commission in Any Organized Town, Village, or City in the State of North Dakota.

Have had the same under consideration and recommend that the same be indefinitely postponed for the reason that we believe the subject matter of said House Bill is fully covered by Chapter 172, Session Laws of 1929.

For the Senate:

OLE ETTESTAD,
A. W. FOWLER,
B. W. LEMKE.

For the House:

O. C. OLSON,
E. J. DULLEA,
JAMES T. THORESON.

Senator Ettestad moved that the report be adopted, which motion prevailed, and the report was adopted, and House Bill No. 267 was indefinitely postponed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 7, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 54.

Also,

The Senate has adopted the report of the Conference Committee on Senate Bill No. 57.

Also,

The Senate has adopted the report of the Conference Committee on House Bill No. 27.

Also,

The Senate has indefinitely postponed House Bill No. 267.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Greene of Stutsman moved that the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

FIFTY-NINTH DAY

Senate Chamber,
Bismarck, North Dakota,
March 7, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. F. G. Norris.

Roll call: All Senators were 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 Fifty-seventh day after recess and the Fifty-eighth day and recommend that the same be corrected as follows:

On page 35, strike out all of line 29.

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

Senator Owings moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Mutchler asked consent to change his vote from "aye" to "no" on the motion to reconsider Senate Bill No. 135, and the records to be so changed.

Which request was granted.

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. 52. A Bill for an Act Creating a Board Known as the "North Dakota Commissioners of the Federated Cooperative Agricultural Association" and Providing for Cooperation With Other Surplus Producing States of the Union, Describing the Manner of Forming the Same, the Purposes Thereof, Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 324. A Bill for an Act Authorizing and Empowering the Industrial Commission of the State of North Dakota to Take Such Action as May Be Proper and Necessary to Cooperate with the Emergency Conservation

Work Projects of the Federal Government on State, County and Municipally owned Lands, Authorizing the Industrial Commission to Enter Into Such Contracts and Agreements as Are Permissible Under the State Constitution with Municipalities and Private Individuals for the Carrying on of Such Emergency Conservation Work Projects, Making it the Duty of Such Commission to Make a Report of its Proceedings Under This Act to the Next Legislative Assembly, and Declaring an Emergency.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

SENATE RESOLUTION "I"
(Introduced by Senator Eastgate)

Same Being a Resolution Voicing Appreciation for the Publicity Given—By Radio and Through the Press—of the Daily Work and Activities of the Twenty-Fourth Legislative Assembly.

WHEREAS, Reports coming in from all corners of the State indicate that a fine service has been rendered the people of North Dakota through the splendid manner in which the doings of this Twenty-Fourth Legislative Assembly have been reported, both through the newspapers and over the Radio, and

WHEREAS, North Dakota people generally, because of this service, have a more thorough and detailed understanding and knowledge of the work of this legislature and affairs of state reflected in the legislation presented than that of any previous session because of the manner in which the legislative news has been presented, described and reported, and

WHEREAS, We believe this service has been of wide-spread interest and of untold educational value to the people of North Dakota,

THEREFORE BE IT RESOLVED, That this Twenty-Fourth Legislative Assembly hereby extends its thanks and appreciation to those responsible for the publicity thus given, and especially to Radio Station KFYZ for the free service donated to carry these nightly broadcasts, and to Sam Clark for the time and effort he has given in making nightly broadcasts of Legislative Hi-Lights, and to Senator Oscar Erickson for his untiring work in arranging nightly programs and talks by members of both House and Senate, and to the newspapers having special representatives at the Capitol for the purpose of reporting such legislative news.

Senator Eastgate moved that Senate Resolution "I" be adopted and printed in the Journal.

Which motion prevailed.

Senator Whelan moved that the Sergeant-at-arms be instructed to communicate with the different departments and have the information previously requested sent to the Senate within an hour.

Which motion prevailed.

The President announced the appointment of Senators Lind, Bonzer, Strehlow as the Senate Conference Committee on House Bill No. 107.

Also, Ettestad, Young and Braaten as the Senate Conference Committee on House Bill No. 161.

Senator Bonzer asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Bonzer moved that House Bill No. 130 be placed at the head of the calendar.

Which motion prevailed.

MESSAGE FROM THE GOVERNOR

State of North Dakota

OFFICE OF THE GOVERNOR

Bismarck

March 6, 1935.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 163. A Bill for an Act Making an Appropriation to the University of North Dakota to Meet a Deficiency in the Appropriation for the Biennium Expiring June 30, 1935, for the Public Health Laboratories; and Declaring an Emergency.

Also,

Senate Bill No. 148. A Bill for an Act Appropriating the Sum of Twenty-eight Thousand (\$28,000.00) Dollars, or so Much Thereof as May Be Required, to Reimburse the Bank of North Dakota for Certain Funds Loaned to the State Historical Society, for the Purpose of Purchasing State Park Lands, and Declaring an Emergency.

Also,

Senate Bill No. 149. A Bill for an Act to Create a State Planning Board, Prescribing the Powers and Duties Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 186. A Bill for an Act Transferring

\$78,293.94 from Certain Fund in Office of State Treasurer, Derived from the United States, to the State Equalization Fund, Appropriating the Same for School Purposes, and Providing That Funds Derived in the Future from Same Source Shall Be Placed in the State Equalization Fund and Used for School Purposes, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

Senate Bill No. 15. 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.

Also,

Senate Bill No. 244. A Bill for an Act to Permit Fidelity and Surety Companies to Act as Sureties Upon Civil or Criminal Undertakings for Bail.

Also,

Senate Bill No. 230. A Bill for an Act to Amend and Re-enact Section 7745 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Notice to Be Given Upon Sale of Real Property Under Execution; Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 245. A Bill for an Act to Fix the Venue of Crimes Committed in or Against Aircraft in Flight, and Upon Trains or Other Vehicles.

Also,

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Chapter 163 of the Session Laws of 1933, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles, That May Be Driven and Moved Upon the Highways of the State of North Dakota, and Prescribing Penalty for Violation Thereof.

Also,

Senate Bill No. 132. A Bill for an Act Defining Banking Institutions Within the Meaning of This Act; Authorizing Such Banking Institutions to Enter Into Such Contracts, Incur Such Obligations and Generally to do Such Acts as May Be Appropriate or Necessary to Take Advantage of Any and All Memberships, Loans, Subscriptions, Contracts, Grants, Rights or Privileges, Including the Right to Receive and Hold United States Postal Savings Deposits, Which May, at Any Time, Be Available or Enure to Said Banking Institutions or Their Depositors, Stockholders, Conservators, Liquidators or Receivers, Under or by Virtue of Any Act, Regulation or Resolution of the Congress of the United States or Any Department, Board, Agency or Officer Thereof; to Aid, Regulate, Foster, Promote or Safeguard Banking Institutions and Depositors, Including the Act Creating

the Federal Deposit Insurance Corporation and Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which Said Banking Institutions, Their Stockholders, Depositors, Conservators, Liquidators or Receivers May Take Advantage of, Comply With and Act Upon the Rights and Privileges Hereby Granted to Them, and Declaring an Emergency.

Very truly yours,

WALTER WELFORD,
Governor.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 7, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 329. A Bill for an Act to Provide Revenue to the State by Imposing a Tax Upon the Sale of Electricity and Electric Power Consumed Within This State; Providing for the Manner of Collecting the Tax, and Penalty for Violation of This Act.

Also,

Senate Bill No. 250. A Bill for an Act to Exempt Grain Warehousemen from Suit for Conversion of Grain Bought, Unless the Instrument Creating Said Interests of Liens Is on File or of Record, or Written Notice of the Existence Thereof Is Given to the Warehousemen.

Also,

Senate Bill No. 271. A Bill for an Act Empowering the Board of County Commissioners to Abate, Cancel or Reduce Personal Property Taxes Upon Evidence Satisfying Said Commissioners of the Unjustness of the Assessment or Taxes; Providing a Manner Through Which the Same May Be Done, and Declaring an Emergency.

Also,

Senate Bill No. 312. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 243 of the Session Laws of 1933, Relating to Employment of Labor of Prisoners in the State Penitentiary, for the Sale of the Products of Said Labor, the Use of Receipts from Said Sales and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 185. A Bill for an Act Defining the Jurisdiction of Police Magistrates and City Justices of the Peace in Criminal Actions in Cities of Five Thousand Inhabitants or More in Counties Wherein the County Court Does Not Have Increased Jurisdiction; Qualifications and Fees of Said

Police Magistrate and City Justices of the Peace; Procedure, Jurors and Officers in Said Police Magistrate Courts and Courts of Said City Justices of the Peace; Limitations of Jurisdiction of Justices of the Peace in Said Cities; and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, Sub-section (b) of Section 4, and Section 13 of Chapter 215, Session Laws of 1931.

Also,

Senate Bill No. 147. A Bill for an Act Creating a State Board to Be Known as "State Council of Public Safety," Purpose, Appointment of Members, Term of Office, Duties of Council and How Financed.

Which the House has indefinitely postponed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 7, 1935.

Mr. President: I have the honor to transmit the following House Bills:

Nos. 44, 62, 70, 69, 43, 26, 55, 59, 41, 234, 28, 39, 286, 236, 176, 156, 311, 116, 287, 3, 362, 57, 64, 42, 363, 24, 330, 204, 295, 263, 353, 5, 292, 67, 170, 100.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 7, 1935.

Mr. President: I have the honor to return the following:

SENATE CONCURRENT RESOLUTION "A-h"

Also,

SENATE CONCURRENT RESOLUTION "X"

Also,

SENATE CONCURRENT RESOLUTION "A-i"

Also,

SENATE CONCURRENT RESOLUTION "W"

Also,

Senate Bills Nos.: 217, 262, 114, 227, 222, 203, 223, 276, 315.

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 7, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 56.

Also, House Bill No. 267.

Also, the House has refused to adopt the report of the Conference Committee on House Bill No. 217 and the Speaker has appointed as a new Conference Committee to act with a like Committee from the Senate, Representatives Fedje, Gessner and Fitzgerald.

Also, the Speaker has appointed as a Conference Committee to act with a like Committee from the Senate on House Bill No. 107, Representatives Bettenhausen, Frosaker and Ritter.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 7, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 38.

Also, Senate Bill No. 57.

Also, House Bill No. 60.

Also, House Bill No. 54.

Also House Concurrent Resolution A-4.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 7, 1935.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 56. 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.

Which the Conference Committee has amended and whose report the House has adopted.

Very respectfully,

WALTER S. MARTIN
Chief Clerk.

Senator Cain moved that the Senate do concur in the House amendment to Senate Bill No. 175.

Which motion prevailed.

Senator Cain moved that the rules be suspended and that Senate Bill No. 175, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 175. A Bill for an Act Providing for a System of Municipal Control of the Purchase, Sale, Importation, Transportation, Handling, Possessing, Dispensing and Use of Alcohol and Alcoholic Beverages by Any Incorporated City of the State Having a Population of Two Hundred or More; the Levy and Collection of a Tax Thereon; the Duties of the State Treasurer; Providing for Injunctions Against and Abatement of Liquor Nuisances; the Continuing in Force of the Present Statutory Regulations Prohibiting the Manufacture, Sale and Possession of Intoxicating Liquors; Providing Penalties for Violations of the Provisions of This Act; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by the House, the roll was called and there were ayes, 25; nays, 23; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kamrath	Peterson
Cain	Kroeber	Stucke
Coffey	Lemke	Topp
Dubay	Lowe	Trout
Ettestad	Lynn	Trovatten
Fowler	McDonald	Whelan
Gronvold	McGillic	Wog
Johnson	Nelson, Grand Fks.	
Jones	Owings	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Greene, Cavalier	Nelson, Barnes
Brostuen	Greene, Stutsman	Strehlow
Crandall	Handley	Thatcher
Drew	Kolpin	Thorson
Eastgate	Lind	Vinje
Erickson	Marshall	Watt
Fine	Miklethun	Young
Fredrickson	Mutchler	

Absent and not voting:

Messrs.
Matthaei

So the bill passed and the title was agreed to.

Senator Bonzer moved that the vote by which Senate Bill No. 175 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Brostuen: "In view of the fact that the emergency clause was lost in the House, I vote 'no'."

Senator Johnson: "I dislike the bill in its present form. I know, however, it will be referred to the people and the people will have a chance to voice their opinion on it, for that reason I vote 'aye'."

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Bonzer moved that the Senate do not concur in the House amendments to Senate Bill No. 88, and that the same Conference Committee be appointed as was appointed on Senate Bill No. 156.

Which motion prevailed.

The President announced the appointment of Senators Cain, Peterson and Young, as the Senate Conference Committee on Senate Bill No. 88.

Senator Coffey moved that the Senate do concur in the House amendment to Senate Bill No. 98.

Which motion prevailed.

Senator Coffey moved that the rules be suspended and that Senate Bill No. 98, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 98. A Bill for an Act to Amend and Re-enact Subsection (3) of Section 1, Chapter 196, Session

Laws of North Dakota for the Year 1927, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Johnson	Owings
Braaten	Jones	Peterson
Brostuen	Kamrath	Strehlow
Cain	Kroeber	Stucke
Coffey	Lemke	Thatcher
Crandall	Lind	Thorson
Drew	Lowe	Topp
Dubay	Lynn	Trout
Eastgate	Marshall	Trovatten
Ettestad	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Mutchler	Wog
Greene, Stutsman	Nelson, Barnes	Young
Gronvold	Nelson, Grand Fks.	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fine	Handley	Kolpin

Absent and not voting:

Messrs.	Messrs.
Erickson	McGillic

So the bill passed and the title was agreed to.

Senator McDonald asked unanimous consent to return to the Sixth Order of Business.

Which request was granted.

The Conference Committee on Senate Bill No. 96 to whom was referred:

Senate Bill No. 96. A Bill for an Act to Amend and Re-enact Sections 189b1 and 189b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and to Amend and Re-enact Sections 189b3, 189b5, 189b7, 189b8, 189b9, 189b10, 189b11, 189b12, 189b13, 189b15, 189b21, 189b25, and 189b29 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota as Amended and Re-enacted by Chapter 170 of the 1931 Session Laws of North Dakota, and as Amended and Re-enacted by Sections 1, 2, 3, 4, 5, 7, 10, 11, 12, 15, 17, and 18 of Chapter 137 of the 1933 Session Laws of North Dakota, and Section 10 of Chapter 170 of the 1931 Session Laws of

the State of North Dakota, Repealing All Acts or Parts of Acts in Conflict Herewith; Relating to State Hail Insurance, Providing for Insuring Crops Against Loss by Hail, Defining Duties of the Assessors; Providing for Collections of Taxes, Fixing Amounts and Providing for Adjustment of Claims of Indemnity; and Abatement of Hail Indemnity Tax and Correction of Records and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

In Section 4, page 4, line 1, strike out "\$4,000,000" and insert "\$3,000,000."

In Section 4, page 4, line 2, strike out the word "four" and insert the word "three."

That Section 19 be added to Senate Bill No. 96 as follows:

"Section 19. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval."

And further recommend that we do concur in the House amendments.

For the Senate:

S. S. McDONALD,
N. N. NELSON,
W. E. MATTHAEI.

For the House:

O. C. OLSON,
P. LEVIN,
OLE B. STRAY.

Senator McDonald moved that the report be adopted, which motion prevailed and the report was adopted.

Senator McDonald moved that the rules be suspended and that Senate Bill No. 96, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senator Thorson moved that a divided vote be taken on Senate Bill No. 96.

Which motion prevailed.

Senate Bill No. 96. A Bill for an Act to Amend and Re-enact Sections 189b1 and 189b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and to Amend and Re-enact Sections 189b3, 189b5, 189b7, 189b8, 189b9, 189b10, 189b11, 189b12, 189b13, 189b15, 189b21, 189b25, and 189b29 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota as Amended and Re-enacted by Chapter 170 of the 1931 Session Laws of North Dakota, and as Amended and Re-

enacted by Sections 1, 2, 3, 4, 5, 7, 10, 11, 12, 15, 17, and 18 of Chapter 137 of the 1933 Session Laws of North Dakota, and Section 10 of Chapter 170 of the 1931 Session Laws of the State of North Dakota, Repealing All Acts or Parts of Acts in Conflict Herewith; Relating to State Hail Insurance, Providing for Insuring Crops Against Loss by Hail, Defining Duties of the Assessors; Providing for Collections of Taxes, Fixing Amounts and Providing for Adjustment of Claims of Indemnity; and Abatement of Hail Indemnity Tax and Correction of Records and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by the House, the roll was called and there were ayes, 30; nays, 19; absent and not voting 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Miklethun
Braaten	Jones	Nelson, Barnes
Brostuen	Kamrath	Nelson, Grand Fks.
Dubay	Kolpin	Owings
Erickson	Lemke	Peterson
Ettestad	Lind	Stucke
Fine	Marshall	Thatcher
Fowler	Matthaei	Thorson
Fredrickson	McDonald	Vinje
Greene, Stutsman	McGillic	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Johnson	Topp
Coffey	Kroeber	Trout
Crandall	Lowe	Trovatten
Drew	Lynn	Watt
Eastgate	Mutchler	Whelan
Greene, Cavalier	Strehlow	Young
Gronvold		

So the bill passed and the title was agreed to.

Senator Bonzer moved that the vote by which Senate Bill No. 96 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

ROLL CALL

The question being on the emergency clause on Senate Bill No. 96, 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.
Bonzer	Jones	Nelson, Barnes
Braaten	Kamrath	Nelson, Grand Fks.

Messrs.	Messrs.	Messrs.
Brostuen	Kolpin	Owings
Dubay	Kroeber	Peterson
Erickson	Lemke	Stuecké
Ettestad	Lind	Thatcher
Fine	Lynn	Thorson
Fowler	Marshall	Vinje
Fredrickson	Matthaei	Wog
Greene, Statsman	McDonald	Young
Handley	McGillic	
Johnson	Miklethun	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Greene, Cavalier	Topp
Coffey	Gronvold	Trout
Crandall	Lowe	Trovatten
Drew	Mutchler	Watt
Eastgate	Strehlow	Whelan

So the emergency clause was declared carried.

Senator Bonzer moved that the vote by which the emergency clause on Senate Bill No. 96 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 7, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 338.

Also, the House has refused to adopt the report of the Conference Committee on House Bill No. 27, and the Speaker has appointed as a new Conference Committee to act with a like committee from the Senate, Representatives Anfinson, Anderson of Sargent, and Burgum.

Also, inform you that the House does not concur in the Senate amendments to House Bill No. 58, and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives Smith, Page and Oglesby.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

The Conference Committee on House Bill No. 56 made the following report:

Mr. Speaker: Your Conference Committee to whom was referred:

House Bill No. 56. 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 2, of the engrossed bill, under the heading "Salaries and Wages," following the word "faculty," strike out the figures "\$80,000.00," and insert in lieu thereof the figures "\$94,850.00."

In line 4, of the same sub-division, after the words "salary adjustments," strike out the figures "\$25,800.00," and insert in lieu thereof the figures "\$10,950.00."

That the Senate amendment reading as follows: "In line 12 of the engrossed bill, strike out the figures '\$10,950.00,' and insert in lieu thereof the figures '\$25,800.'" be stricken from the bill and that the House do concur in the remainder of the Senate amendments to the same.

For the Senate:

J. P. CAIN
GEOGE V. COFFEY,
HERMAN THORSON.

For the House:

BEN FEDJE,
WM. H. TUFF,
ROY P. HALL.

Senator Cain moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Cain moved that the rules be suspended and that House Bill No. 56 as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 56. 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 second time.

ROLL CALL

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, 0; absent and not voting, 4.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Miklethun
Braaten	Gronvold	Mutchler

Messrs.	Messrs.	Messrs.
Brostuen	Handley	Nelson, Barnes
Cain	Johnson	Nelson, Grand Fks.
Coffey	Jones	Owings
Crandall	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Stucke
Eastgate	Lind	Thatcher
Erickson	Lowe	Topp
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Wog
Greene, Cavalier	McGillic	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Kamrath	Trout	Whelan
Thorson		

So the bill passed and the title was agreed to.

Senator Dubay moved that the vote by which House Bill No. 56 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 7, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 96 and transmit the same herewith, with the emergency clause attached, and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 7, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 175.

And Senate Bill No. 98.

And that the Senate does not concur in the House amendments to Senate Bill No. 88 and the President has appointed

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as a Conference Committee to confer with a like Committee from the House, Senators Cain, Peterson and Bonzer.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 7, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 56 and return the Bill herewith as amended by the Conference Committee.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Bonzer asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Bonzer moved that the House be requested to return House Bill No. 42 for further consideration.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 7, 1935.

Mr. Speaker: I have the honor to request you to return House Bill No. 42 to the Senate.

Very respectfully,

F. E. TUNELL,
Secretary.

SENATE CONCURRENT RESOLUTION "A-k"

Introduced by Senator Erickson

WHEREAS, there is a general feeling among the people of the State of North Dakota that some of the state institutions should either be consolidated or closed; and,

WHEREAS, some of these institutions were established under such conditions that it is impossible to consolidate them; and,

WHEREAS, the entire subject is very involved and intricate and requires study in order to do justice to the schools themselves, the people in the vicinity and adjoining counties where schools are located;

NOW, THEREFORE, BE IT RESOLVED by the Senate

of the State of North Dakota, the House of Representatives concurring, that a committee consisting of the Governor, Attorney General and Superintendent of Public Instruction, together with the Board of Administration, make a thorough study of the feasibility of either consolidating or closing some of these institutions and that after they have arrived at a decision that the Secretary of State, at the next general primary election shall send out a ballot to all the county auditors of North Dakota, who in turn shall send same to the various voting places and that the people of the state be given an opportunity to express their wishes by voting at that time on the various propositions of either consolidating or closing these institutions as this committee may determine and which shall be submitted to the people.

Referred to the Committee on State Affairs.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 7, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has refused to adopt the report of the Conference Committee on House Bill No. 107 and the President has appointed as a new Conference Committee, Senators Lind, Bonzer and Strehlow.

Also, I have the honor to inform you that the Senate has refused to adopt the report of the Conference Committee on Senate Bill No. 161, and the President has appointed as a new Conference Committee, Senators Ettestad, Young and Braaten.

Very respectfully,

F. E. TUNELL,
Secretary.

SECOND READING OF HOUSE BILLS

Senator Bonzer moved that House Bill No. 130 be amended as follows:

In line 3, strike out the figures "\$8,500" and insert in lieu thereof the figures "\$6,000."

Senator Bonzer demanded a roll call.

A Roll Call was granted.

ROLL CALL

The question being on the motion of Senator Bonzer to amend House Bill No. 130, 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.
Bonzer	Handley	Mutchler
Braaten	Johnson	Owings

Messrs.	Messrs.	Messrs.
Dubay	Kamrath	Peterson
Eastgate	Kolpin	Stucke
Erickson	Kroeber	Thatcher
Ettestad	Lemke	Thorson
Fine	Marshall	Vinje
Fowler	Matthaei	Whelan
Greene, Cavalier	McDonald	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Jones	Strehlow
Cain	Lind	Topp
Coffey	Lowe	Trout
Crandall	Lynn	Trovatten
Drew	McGillic	Watt
Fredrickson	Miklethun	Young
Greene, Stutsman	Nelson, Barnes	
Gronvold	Nelson, Grand Fks.	

So the motion prevailed and the amendment was adopted.

Senator Johnson moved that House Bill No. 130 be amended as follows:

Strike out everything after "Introduced by Committee on Appropriations" and insert the following:

Expenses of Special Session of the House of Representatives

A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of Mileage, per diem and Other Incidental Expenses in Connection with the Special Session of the House of Representatives, convened on July 24, 1934.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

Section 1. APPROPRIATION.) There is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated the sum of \$2,400.00 to defray the expense, mileage and per diem of members, per diem of officers and employees, and miscellaneous expense of those fifty-seven members of the House of Representatives attending the special session of the House of Representatives of the State of North Dakota convened on the 24th day of July, 1934, at Bismarck, which session was convened on its own motion for the purpose of considering charges of impeachment against state officers.

Senator Greene of Stutsman moved that House Bill No. 130 be re-referred to the Committee on Appropriations.

Which motion was lost.

The question was on the motion of Senator Johnson to amend House Bill No. 130.

Senator Stucke demanded a Roll Call.

A Roll Call was granted.

Senator Stucke demanded a call of the Senate.

A call of the Senate was granted.

All the Senators were present.

Senator Stucke moved that the call of the Senate be dispensed with.

Which motion prevailed.

ROLL CALL

The question being on the motion of Senator Johnson to amend House Bill No. 130, the roll was called and there ayes, 22; nays, 27; absent and not voting, 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Brostuen	Greene, Stutsman	Mutchler
Coffey	Gronvold	Nelson, Barnes
Crandall	Johnson	Topp
Dubay	Jones	Trout
Eastgate	Lind	Trovatten
Fine	Lowe	Watt
Fredrickson	Matthaei	
Greene, Cavalier	Miklethun	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kolpin	Peterson
Braaten	Kroeber	Strehlow
Cain	Lemke	Stucke
Drew	Lynn	Thatcher
Erickson	Marshall	Thorson
Ettestad	McDonald	Vinje
Fowler	McGillic	Whelan
Handley	Nelson, Grand Fks.	Wog
Kamrath	Owings	Young

So the motion to amend was declared lost.

Senator Matthaei moved that House Bill No. 130 be amended as follows:

This appropriation to defray the expenses of mileage and the per diem on one day's attendance, of each Senator and Representative who responded to the call for the convening of the special legislature, and for one day's services of all employees of such special session.

Senator Bonzer demanded a Roll Call.

A Roll Call was granted.

ROLL CALL

The question being on the motion of Senator Matthaei

to amend House Bill No. 130, the roll was called and there were ayes, 20; nays, 29; absent and not voting, 0.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Brostuen	Johnson	Strehlow
Crandall	Jones	Topp
Dubay	Lind	Trout
Ettestad	Lowe	Trovatten
Fine	Matthaei	Watt
Greene, Stutsman	Miklethun	Young
Gronvold	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Kamrath	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Stucke
Drew	Lemke	Thatcher
Eastgate	Lynn	Thorson
Erickson	Marshall	Vinje
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Mutchler	

So the motion was lost.

Senator Cain: "I am voting against all of these motions for two reasons: The first, because any amount appropriated for the payment of the expenses of the special session is clearly illegal; the second, because the House cannot, under our constitution or statutes, convene of its own motion for impeachment, or for any other purpose. I vote 'no'."

Senator Whelan moved the previous question.

Which motion prevailed.

Senator Peterson moved that the rules be suspended and that House Bill No. 130, as amended, be placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 130. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of Mileage, Per Diem and Other Incidental Expenses in Connection With the Special Session of the Legislature Convened on July 19, 1934.

Was read the second time.

ROLL CALL

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.
Bonzer	Kolpin	Stucke
Braaten	Kroeber	Thatcher
Dubay	Lemke	Thorson
Erickson	Marshall	Vinje
Fine	McDonald	Whelan
Greene, Cavalier	Mutchler	Wog
Handley	Owings	
Kamrath	Peterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Greene, Stutsman	Miklethun
Cain	Gronvold	Nelson, Barnes
Coffey	Johnson	Nelson, Grand Fks.
Crandall	Jones	Strehlow
Drew	Lind	Topp
Eastgate	Lowe	Trout
Ettestad	Lynn	Trovatten
Fowler	Matthaei	Watt
Fredrickson	McGillie	Young

So the bill was lost.

Senator Cain: "I vote 'no' for the same reasons given for voting 'no' on the motion of Senator Matthaei."

Senator Erickson: I am going to vote "aye" for this motion because I believe these members and employees came down here with the full intention of doing what the Call of the Governor directed them to do, and I believe they are entitled to remuneration for their services. I vote "aye."

Senator Fine: I am voting "aye" on this measure for the reason that some of these men came in the performance of their duty as they saw it, some of them not having received a revocation of the Call. I believe they should have pay for their expenses and time. Personally I have no interest in the Bill. I vote "aye."

Senator Jones: I vote "no" because the session was illegally called. The Call did not have the seal of the State of North Dakota on it, which is required on such official Call. Senator Erickson has told us how it was called in Nebraska, a few minutes ago, and he said it was called with a seal.

Senator Dubay: "With the understanding that I am not to receive any compensation for that special session and not having any legislative employee from my county then or now, I will vote "aye."

MESSAGE FROM THE GOVERNOR

State of North Dakota
OFFICE OF THE GOVERNOR
Bismarck

March 7, 1935.

To the Senate of the State of North Dakota:

This is to notify you that I have today approved and filed with the Secretary of State:

Senate Bill No. 286. A Bill for an Act Validating Payments Heretofore Made by the State or Municipalities for Payments of Workmen's Compensation Insurance; Authorizing Municipalities to Pay Such Premiums With Any Moneys Except Special Levies and to Draw Special Warrants for Premiums Where Funds Are Unavailable and Repealing All Acts in Conflict Herewith.

Also,

Senate Bill No. 246. A Bill for an Act to Provide for the Use of Alternate Jurors in Criminal Cases, and to Regulate the Practice of the Courts in Regard Thereto.

Also,

Senate Bill No. 283. A Bill for an Act to Amend and Re-enact Section 9606a1 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Declaring it Unlawful to Place Certain Children in Almshouses or Other Institutions Without the Consent of the Board of Administration, With Certain Exceptions, Prohibiting Placing of Certain Children in the State Training School, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 297. A Bill for an Act Providing for the Cancellation of Record of Certain Chattel Mortgages and Certain Written Agreements Relating to Personal Property, by the Register of Deeds, for Cancelling Certain Bills of Sale, Requiring Assignments of Chattel Mortgages to Be Filed Before the Filing of Affidavit of Renewal or Satisfaction, and Repealing All Acts in Conflict Therewith.

Very truly yours,

WALTER WELFORD,
Governor.

President pro tem. Marshall called Senator Brostuen to the chair to preside.

Senator Bonzer moved that House Bill No. 7 be placed at the head of the calendar.

Which motion prevailed.

Senator Watt moved that House Bill No. 7 be amended as follows:

Strike out all of Section 2 of the bill, and insert in lieu thereof the following:

"Section 2. The Board of Railroad Commissioners shall appoint at each Packing Plant, Slaughtering House and Concentration Point, where the average daily number of live-stock handled is more than two hundred and fifty head, one

Inspector of Grades and Weights . Such appointee shall have had at least ten years experience in the actual handling and marketing of livestock, and shall receive a salary of not less than Three Thousand (\$3,000.00) Dollars nor more than Four Thousand (\$4,000.00) Dollars per annum. Such Inspector shall have the power and authority to hire and discharge, from time to time, such assistants not exceeding three at any one time, as he may deem necessary to handle the volume of business, provided, however, that there shall not be expended in any one year more than Six Thousand (\$6,000.00) Dollars for the payment of salary and/or expenses of such assistants. Such Inspector and Assistants shall each give to the State of North Dakota a bond in the sum of Five Thousand (\$5,000.00) Dollars, conditioned for the faithful discharge of their duties under this Act. Such Inspector and/or his assistants shall have full control of the supervision and inspection of the scales and of the weighing at any such plant.

Such Inspector and/or his assistants, upon the request of any seller or his agent or representative, shall grade or re-grade any slaughter livestock not previously graded under the provisions of this Act, and shall keep a record thereof, and of the time of arrival of such livestock at such packing plant, slaughtering house or concentration point, and shall furnish to the seller a certificate setting forth the number of animals graded, for whose account graded and the actual grade of such animal or animals. Such certificate shall be prima facie evidence of the facts certified therein. The Board of Railroad Commissioners shall establish such rules and regulations as it deems necessary for the grading or weighing of animals and insofar as applicable, such Board shall use the same standards as are now or may hereafter be used by the United States Bureau of Agriculture.

The shipper or his representative shall have the right to give his livestock such feed as they will consume during a two-hour period prior to weighing, feed to be furnished by the owner, proprietor or operator of the packing plant, slaughtering house or concentration point at the expense of the shipper, and after such feeding the animals shall be given by such owner, proprietor or operator, free access to water until their thirst is fully quenched. If, however, feeding is omitted, the actual scale weights shall apply as the sole basis for settlement with the shipper.

Any owner of any such packing plant, slaughtering house or concentration point shall, immediately upon the receipt of the daily market quotations or prices for livestock, post the same in a public and conspicuous place in its plant."

Senator Fowler demanded a call of the Senate.

A call of the Senate was granted.

The roll was called which revealed all Senators present except Senators Erickson, Johnson, Kolpin and Watt.

The Sergeant-at-arms was instructed to bring the absent Senators into the Senate Chamber.

The Sergeant-at-arms advised all Senators were present.

Senator Fredrickson moved that the Call of the Senate be dispensed with.

Which motion prevailed.

Senator Fowler demanded a Roll Call.

A Roll Call was granted.

ROLL CALL

The question being on the motion of Senator Watt to amend House Bill No. 7, 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.
Bonzer	Fowler	Nelson, Grand Fks.
Cain	Greene, Cavalier	Topp
Coffey	Gronvold	Vinje
Crandall	Handley	Watt
Eastgate	Kroeber	Whelan
Erickson	Lynn	
Ettestad	McGillic	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Kolpin	Owings
Brostuen	Lemke	Peterson
Drew	Lind	Strehlow
Dubay	Lowe	Stucke
Fine	Marshall	Thatcher
Fredrickson	Matthaei	Thorson
Greene, Stutsman	McDonald	Trout
Johnson	Miklethun	Trovatten
Jones	Mutchler	Wog
Kamrath	Nelson, Barnes	Young

So the motion to amend House Bill No. 7 was lost.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 7, 1935.

Mr. Speaker: I have the honor to request you to return House Bill No. 93 to the Senate.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 7, 1935.

Mr. President: I have the honor to transmit herewith the following bill:

House Bill No. 338. A Bill for an Act Creating a State Board of Public Welfare, Defining Its Powers and Duties; Permitting Appointments of Executive Director; Hold Office at Pleasure of Board; Establishing the State Welfare Fund; Making an Appropriation Therefor; Repealing All Acts and Parts of Acts in Conflict With the Provisions of This Act, and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

Also return House Bill No. 42 as requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Marshall moved that the Senate do now go into executive session to receive a Message from the Governor.

Which motion prevailed, and the Senate went into executive session.

President pro tem. Marshall resumed the chair.

Senator Erickson moved that the Senate recess until 7:30 P. M.

Which motion prevailed, and the Senate stood recessed.

The Senate convened at 7:30 P. M. pursuant to recess, President pro tem. Marshall presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 324. A Bill for an Act Authorizing and Empowering the Industrial Commission of the State of North Dakota to Take Such Action as May Be Proper and Necessary to Cooperate with the Emergency Conservation Work Projects of the Federal Government on State, County and Municipally owned Lands, Authorizing the Industrial Commission to Enter Into Such Contracts and Agreements as Are Permissible Under the State Constitution with Municipalities and Private Individuals for the Carrying on of Such Emergency Conservation Work Projects, Making it the Duty of Such Commission to Make a Report of its Proceedings Under This Act to the Next Legislative Assembly, and Declaring an Emergency.

Also,

Senate Bill No. 52. A Bill for an Act Creating a Board Known as the "North Dakota Commissioners of the Federated Cooperative Agricultural Association" and Providing for Cooperation With Other Surplus Producing States of the Union, Describing the Manner of Forming the Same, the Purposes Thereof, Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Also,

Senate Bill No. 19. 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. 194. A Bill for an Act to Amend and Re-enact Section 1162 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for 1933, Relating to Annual, Regular and Special Meetings of Boards of Common School Districts and Providing for Notice of Same and Relating to Attendance, Per Diem and Mileage of School Officers Attending County Meetings, and Declaring an Emergency.

Also,

Senate Bill No. 216. A Bill for an Act Amending and Re-enacting Section 16 of Chapter 196 of the Laws of North Dakota for 1927, and Relating to the Execution, Registration, Certification and Delivery of Bonds Issued by a Municipality.

Also,

Senate Bill No. 229. A Bill for an Act Relating to Foreclosure of Mortgage or Other Lien Upon Real Estate Providing for Service of Summons in Actions to Foreclose Mortgage or Other Lien Upon Real Estate; Providing for Personal Service or Service by Publication; Specifying Manner in Which Unknown Defendants and Representatives of Deceased Defendants May Be Joined; Providing That Said Method Shall Be in Addition to Present Remedies.

Also,

Senate Bill No. 287. A Bill for an Act Authorizing the Workmen's Compensation Bureau to Carry Compensation Insurance on Employees on National Recovery Work Projects and to Calculate and Determine Rates on a State Wide Experience Basis.

Also,

Senate Bill No. 263. A Bill for an Act to Amend and Re-enact Sections 2350, 2412 and 2417 of the Compiled Laws of North Dakota of the Year 1913 Relating to the Military Code of the State of North Dakota; Defining Military Forces; Providing a Board of Armory Supervisors and Defining the Powers Thereof; Fixing the Pay and Allowances of Enlisted Men on Active Duty and Further Providing for the Appointment of an Assistant Adjutant General, His Powers and Duties; the Appointment of a Disbursing Officer, His Powers and Duties; Requiring Officers to Furnish Bonds; Providing Punishment for False Certificates or Returns and for the Misuse of Funds or Property; Providing that State and Municipal Officers and Employees Shall Not Lose Pay While on Duty; Giving Troops Power to Act Outside of Occupied Territory; Providing for the Service of Process of Military Courts; Providing that the Invalidation of a Portion of This Act Shall Not Invalidate the Remainder Thereof and Repealing Sections 2392, 2421, 2432b and 2434 of the Compiled Laws of North Dakota of the Year 1913 and Sections 2423a and 2442a of the 1925 Supplement to the Compiled Laws of North Dakota of the Year 1913 and All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 273. A Bill for an Act to appropriate the Sum of One Thousand Dollars (\$1,000.00) From Any Moneys in the State Highway Fund for the Purpose of Making a Preliminary Survey and Soundings for the Construction of a Bridge Across the Little Missouri River at or Near the Intersection of the Little Missouri River With the Trail Passing South of Independence and Crossing Section Twenty-nine (S. 29), Township One Hundred Forty-eight (T. 148), Range Ninety-one (R. 91) Dunn County, North Dakota, Approximately Six Miles Northwest of the Fort Berthold Bridge, Also Known as the Four Bears Bridge, Under the Provisions of Chapter Seventy-three (73) of the Laws of North Dakota for the year Nineteen Hundred Nineteen (1919) (Sections 1952a1 and 1952a2 of the 1925 Supplement to the Compiled Laws of 1913) as Amended and Re-enacted by Chapter 161, Laws of 1927, as Amended and Re-enacted by Chapter 140 of the Laws of 1929, and Directing the State Highway Commissioner Forthwith to Designate Said Trail as a Feeder Road to State and Federal Highway No. 8, and to Forthwith Make Said Soundings and Survey, and Select a Bridge Site; and Directing Said Highway Commissioner Forthwith to Construct Such Bridge, and Do All Necessary Preliminary Acts Therein.

Also,

Senate Bill No. 281. A Bill for an Act Relating to the Incorporation of Mutual Aid Non-Profit Corporations, and Defining Their Purposes and Powers and Declaring an Emergency.

Also,

Senate Bill No. 296. A Bill for an Act to Provide for the

Creation of Water Conservation Districts; to Provide for Water Conservation Commissioners and Fix Their Powers and Duties; to Provide for a State Water Conservation Commissioner and Fix His Powers and Duties; to Provide for the Acquisition of Property Rights and the Assessment of Benefits Against the Property Affected, and to Provide for the Levy of Special Assessments and Prescribing the Duties of County Commissioners Relating to Water Conservation Projects, Providing for the Exemption of Federal Projects and Agencies, and Declaring an Emergency.

Also,

Senate Bill No. 310. A Bill for an Act Authorizing Counties, Cities, Villages, School Districts and Park Districts to Accept Devises, Bequests, Legacies and Gifts, Provided That the Title Thereto Shall Be Held in Trust; Regulating the Handling and Use of Such Property and its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made; and Declaring an Emergency.

Also,

Senate Bill No. 328. A Bill for an Act Authorizing the State Forester to Accept, Acquire or Lease Land for State Forests and State Parks; Providing for the Management and Development Thereof and the Disposition of Income From Such Lands.

And the President signed the same in presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 7, 1935.

Mr. Speaker: I have the honor to return herewith the following:

HOUSE CONCURRENT RESOLUTION A-19

Also.

House Bill No. 106. A Bill for An Act Providing and Permitting the Purchase of Gasoline to be Used Solely for Agricultural Purposes Without Payment of Gasoline Tax on Purchase Thereof; Licensing Purchasers and Sellers Thereof; Providing Penalty; Repeal.

Also,

House Bill No. 273. A Bill for an Act to Establish a County Motor Vehicle Department Under the Supervision of the State Highway Commissioner. Designating County Auditor as Assistant Registrar of the State Motor Vehicle Registration Department. Providing for a Uniform System of Accounting and Business Procedure for Such County Motor Vehicle Departments. Giving State Highway Commissioner, Acting Directly or Through State Motor Vehicle Department, Au-

thority to Make Necessary Rules and Regulations of the Administration of the Affairs in the County Motor Vehicle Departments. Providing How County Auditors Shall Qualify as Such Assistant Motor Vehicle Registrars, Bond and Compensation. Defining Certain Duties Imposed Upon the State Motor Vehicle Department, its Registrar, the Assistant Registrar in Each County in the State. Disposition of the Fees and Moneys Collected from the Sale of Motor Vehicle Licenses and Tags at the County Seats of the Several Counties of the State of North Dakota and Providing That All Acts or Parts of Acts in Conflict with the Provisions of This Act are Superseded by the Provisions Hereof.

Also,

House Bill No. 87. A Bill for an Act to Amend and Re-enact Chapter 264 of the Session Laws of the State of North Dakota for the Year 1931, Providing for the Appointment of a Superintendent, of State Hospital for the Insane, Assistant Medical Superintendents, and Assistant Chiropractic Superintendents, Salaries of Superintendents and Providing Method of Handling Patients, and Provision for Preference as to Type of Treatment by Nearest Relative or General Personal Guardian, and Declaring an Emergency.

Also,

House Bill No. 183. A Bill for an Act to Repeal Sections 924, 925, 926, and 927 of the Compiled Laws for the Year 1913, as Section 927 is Amended by Chapter 213 of the Session Laws of 1923, and as Found in Section 927a1 and 927a2, Relating to Pùblicity Pamphlet and the Publication and Distribution Thereof.

Also,

House Bill No. 241. A Bill for an Act to Amend and Re-enact Section 852 of the Compiled Laws of North Dakota for 1913, as Amended by Section 1, Chapter 150 of the Session Laws of 1915; Providing for a Primary Election to Be Held on the Last Tuesday in June in Years in Which General Elections Occur; Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 6 of the Initiated Measure Approved by the People June 30, 1926, Imposing a Tax Upon the Sale of Motor Vehicle Fuel, as Last Amended by Chapter 189 of the Session Laws of 1931, Providing for the Refund in Certain Cases of the Motor Vehicle Fuel Tax Paid and Procedure to Be Followed to Obtain Such Refund; Limiting Time Within Which Application for Refund May Be Made and Allowed; and Declaring an Emergency.

Which the Senate has indefinitely postponed.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Cain moved that action be deferred on House Bill No. 314.

Which motion prevailed.

REPORT OF STANDING COMMITTEES

The Committee on Education made the following report:

Mr. President: Your Committee on Education, to whom was referred:

House Bill No. 255. A Bill for an Act to Re-establish the State Equalization Fund for the Common Schools of the State; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of That Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; Repealing All Acts in Conflict Herewith.

Have had the same under consideration and recommend the same be amended as follows:

In line 46, page 3 of the printed bill, following the word "General," add the following:

"Provided, that the State Treasurer, State Auditor and Attorney General shall constitute an advisory committee to work in conjunction with the State Superintendent of Public Instruction in the administration of the emergency fund."

In line 7, page 4, of the printed bill, strike out the figures "\$25.00" and in lieu thereof insert the following: "\$1.50 per week of actual attendance."

In line 8, page 4 of the printed bill, strike out the words "sixty or more."

In line 9, page 4 of the printed bill, at the beginning of that line, strike out the words "school days."

In line 9, page 4 of the printed bill, following the word "year," insert the following: "And be it further provided that high school tuition shall be paid to any school district for any pupil or student who has completed the eighth grade, living in a district having no high school and residing in a county that is on the border line of another state who may be attending the nearest four-year high school in the adjoining state."

On page 5 of the printed bill, following line 50, insert subsection (a) as follows: "(a) Whenever provisions are established for high school work by correspondence, the cost of such work shall be paid out of the equalization fund as determined by the Board of Administration."

In line 9, page 8, Section 7, of the printed bill, strike out the word "his" and insert in lieu thereof the word "this."

And when so amended 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.

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. 138. A Bill for an Act Providing That Surety and Insurance Companies Other Than Life Insurance Companies, Shall Do Business in This State Only Through Duly Licensed Resident Agents, Regulating the Practice of Such Resident Agents, Providing That the Commissioner of Insurance Shall Have the Power to Refuse, Suspend or Revoke Licenses of Such Resident Agents, Authorizing the Commissioner of Insurance to Examine the Records of Surety or Insurance Companies, to Collect Premium Taxes on Surety or Insurance Companies That Have Transacted Business Within the State Without Authority, Providing Penalties for the Violations Thereof, and Repealing Sections 4961, 4962, 4963 and 4964 of the Compiled Laws of North Dakota for 1913 and Chapter 133, of the Session Laws of North Dakota for 1933, and Declaring an Emergency.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

The President called Senator Brostuen to the chair to preside.

MESSAGES FROM THE SENATE

Senate Chamber,
Bismarck, North Dakota,
March 7, 1935.

Mr. Speaker: I have the honor to return herewith the following bill:

House Bill No. 338. A Bill for an Act Creating a State Board of Public Welfare, Defining its Powers and Duties; Permitting Appointment of Executive Director; Hold Office at Pleasure of Board; Establishing the State Welfare Fund; Making an Appropriation Therefor; Repealing All Acts and

Parts of Acts in Conflict With the Provisions of This Act, and Declaring an Emergency.

Which the president has signed.

Also,

I have the honor to transmit herewith the following bills:

Senate Bill No. 324. A Bill for an Act Authorizing and Empowering the Industrial Commission of the State of North Dakota to Take Such Action as May Be Proper and Necessary to Cooperate with the Emergency Conservation Work Projects of the Federal Government on State, County and Municipally owned Lands, Authorizing the Industrial Commission to Enter Into Such Contracts and Agreements as Are Permissible Under the State Constitution with Municipalities and Private Individuals for the Carrying on of Such Emergency Conservation Work Projects, Making it the Duty of Such Commission to Make a Report of its Proceedings Under This Act to the Next Legislative Assembly, and Declaring an Emergency.

Also,

Senate Bill No. 52. A Bill for an Act Creating a Board Known as the "North Dakota Commissioners of the Federated Cooperative Agricultural Association" and Providing for Cooperation With Other Surplus Producing States of the Union, Describing the Manner of Forming the Same, the Purposes Thereof, Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Also,

Senate Bill No. 19. 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. 194. A Bill for an Act to Amend and Re-enact Section 1162 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for 1933, Relating to Annual, Regular and Special Meetings of Boards of Common School Districts and Providing for Notice of Same and Relating to Attendance, Per Diem and Mileage of School Officers Attending County Meetings, and Declaring an Emergency.

Also,

Senate Bill No. 216. A Bill for an Act Amending and Re-enacting Section 16 of Chapter 196 of the Laws of North

Dakota for the Year 1927, and Relating to the Execution, Registration, Certification and Delivery of Bonds Issued by a Municipality.

Also,

Senate Bill No. 229. A Bill for an Act Relating to Foreclosure of Mortgage or Other Lien Upon Real Estate Providing for Service of Summons in Actions to Foreclose Mortgage or Other Lien Upon Real Estate; Providing for Personal Service or Service by Publication; Specifying Manner in Which Unknown Defendants and Representatives of Deceased Defendants May Be Joined; Providing That Said Method Shall Be in Addition to Present Remedies.

Also,

Senate Bill No. 287. A Bill for an Act Authorizing the Workmen's Compensation Bureau to Carry Compensation Insurance on Employees on National Recovery Work Projects and to Calculate and Determine Rates on a State Wide Experience Basis.

Also,

Senate Bill No. 263. A Bill for an Act to Amend and Re-enact Sections 2350, 2412 and 2417 of the Compiled Laws of North Dakota of the Year 1913 Relating to the Military Code of the State of North Dakota; Defining Military Forces; Providing a Board of Armory Supervisors and Defining the Powers Thereof; Fixing the Pay and Allowances of Enlisted Men on Active Duty and Further Providing for the Appointment of an Assistant Adjutant General, His Powers and Duties; the Appointment of a Disbursing Officer, His Powers and Duties; Requiring Officers to Furnish Bonds; Providing Punishment for False Certificates or Returns and for the Misuse of Funds or Property; Providing that State and Municipal Officers and Employees Shall Not Lose Pay While on Duty; Giving Troops Power to Act Outside of Occupied Territory; Providing for the Service of Process of Military Courts; Providing that the Invalidation of a Portion of This Act Shall Not Invalidate the Remainder Thereof and Repealing Sections 2392, 2421, 2432b and 2434 of the Compiled Laws of North Dakota of the Year 1913 and Sections 2423a and 2442a of the 1925 Supplement to the Compiled Laws of North Dakota of the Year 1913 and All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 273. A Bill for an Act to Appropriate the Sum of One Thousand Dollars (\$1,000.00) From Any Moneys in the State Highway Fund for the Purpose of Making a Preliminary Survey and Soundings for the Construction of a Bridge Across the Little Missouri River at or Near the Intersection of the Little Missouri River with the Trail Passing South of Independence and Crossing Section Twenty-nine (S. 29), Township One Hundred Forty-eight (T. 148), Range Ninety-one (R. 91) Dunn County, North Dakota, Approximately Six Miles Northwest of the Fort Berthold

Bridge, Also Known as the Four Bears Bridge, Under the Provisions of Chapter Seventy-three (73) of the Laws of North Dakota for the Year Nineteen Hundred Nineteen (1919) (Sections 1952a1 and 1952a2 of the 1925 Supplement to the Compiled Laws of 1913) as Amended and Re-enacted by Chapter 161, Laws of 1927, as Amended and Re-enacted by Chapter 140 of the Laws of 1929, and Directing the State Highway Commissioner Forthwith to Designate Said Trail as a Feeder Road to State and Federal Highway No. 8, and to Forthwith Make Said Soundings and Survey, and Select a Bridge Site; and Directing Said Highway Commissioner Forthwith to Construct Such Bridge, and Do All Necessary Preliminary Acts Therein.

Also,

Senate Bill No. 281. A Bill for an Act Relating to the Incorporation of Mutual Aid Non-Profit Corporations, and Defining Their Purposes and Powers and Declaring an Emergency.

Also,

Senate Bill No. 296. A Bill for an Act to Provide for the Creation of Water Conservation Districts; to Provide for Water Conservation Commissioners and Fix Their Powers and Duties; to Provide for a State Water Conservation Commissioner and Fix His Powers and Duties; to Provide for the Acquisition of Property Rights and the Assessment of Benefits Against the Property Affected, and to Provide for the Levy of Special Assessments and Prescribing the Duties of County Commissioners Relating to Water Conservation Projects, Providing for the Exemption of Federal Projects and Agencies, and Declaring an Emergency.

Also,

Senate Bill No. 310. A Bill for an Act Authorizing Counties, Cities, Villages, School Districts and Park Districts to Accept Devises, Bequests, Legacies and Gifts, Provided That the Title Thereto Shall Be Held in Trust; Regulating the Handling and Use of Such Property and its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made; and Declaring an Emergency.

Also,

Senate Bill No. 328. A Bill for an Act Authorizing the State Forester to Accept, Acquire or Lease Land for State Forests and State Parks; Providing for the Management and Development Thereof and the Disposition of Income From Such Lands.

Also,

SENATE CONCURRENT RESOLUTION "A-e"

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

SECOND READING OF HOUSE BILLS

Senator Bonzer demanded a Call of the Senate.
A Call of the Senate was granted.

The roll was called and all Senators were present except Senators Fowler and Thatcher.

Senator Cain moved that Senator Fowler be excused.
Which motion prevailed.

Senator Bonzer moved that Senator Thatcher be excused.
Which motion prevailed.

Senator Bonzer moved that the call of the Senate be dispensed with.

Which motion prevailed.

House Bill No. 7. A Bill For an Act to Provide for the Weighing, Grading, Feeding, Docking and Watering of Livestock at Packing Plants, Slaughtering Houses and Concentration Points.

Was read the second time.

ROLL CALL

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.
Brostuen	Jones	Strehlow
Dubay	Lind	Trout
Ettestad	Low	Trovatten
Fine	Marshall	Wog
Fredrickson	Matthaei	Young
Greene, Stutsman	Miklethun	
Johnson	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Kamrath	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Stucke
Crandall	Lemke	Thorson
Eastgate	Lynn	Topp
Erickson	McDonald	Vinje
Greene, Cavalier	McGillic	Watt
Gronvold	Mutchler	Whelan

Absent and not voting:

Messrs.	Messrs.	Messrs.
Drew	Fowler	Thatcher

So the bill was declared lost.

Senator Greene of Stutsman moved that the vote by which House Bill No. 7 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion was lost.

Senator Peterson moved that House Bill No. 48 be amended as follows:

Strike out everything after the words "A Bill" and insert in lieu thereof the following:

"For an Act providing for the payment and cancellation of personal property taxes assessed and levied for the year 1934 and all prior years; fixing the amount to be paid, and providing for cancellation of interest and penalties; and declaring an emergency.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

Section 1. That all unpaid personal property taxes in the various counties of the State of North Dakota, assessed and levied for the year 1934 and all prior years, may be cancelled upon the payment of the principal amount of said tax without the payment of any penalty or interest, provided that such payment of principal is made on or before the first day of January, 1936; and provided further, that if said principal of such taxes is not paid on or before said date, then and in that event, the principal and interest as provided by law shall attach to said taxes.

Section 2. **EMERGENCY.)** WHEREAS, a large amount of personal property sorely needed for the support of the owners and their families is in danger of being lost by reason of the owners being unable to pay delinquent personal property taxes, this act is hereby declared to be an emergency measure and shall be in force from and after its passage and approval."

Which motion prevailed.

Senator Miklethun moved that the rules be suspended and that House Bill No. 48, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 48. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes Assessed and Levied for the Year 1933, and All Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partial Cancellation of the Original Amount of Such Taxes.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 38; nays, 5; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Nelson, Grand Fks.
Braaten	Handley	Owings
Brostuen	Johnson	Peterson
Cain	Jones	Thorson
Coffey	Kamrath	Topp
Dubay	Kolpin	Trout
Eastgate	Kroeber	Trovatten
Erickson	Lemke	Vinje
Ettestad	Marshall	Watt
Fine	Matthaei	Whelan
Fredrickson	McDonald	Wog
Greene, Cavalier	McGillic	Young
Greene, Stutsman	Miklethun	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Crandall	Lynn	Nelson, Barnes
Lowe	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Drew	Lind	Stucke
Fowler	Strehlow	Thatcher

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Owings moved that the vote by which House Bill No. 48 was passed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Owings: I think this is about the third time we have stricken out everything after "A Bill," and inserted a whole new bill, so I think it must be perfect by this time, and I vote "aye."

MESSAGES FROM THE HOUSE

House of Representatives.
Bismarck, North Dakota,
March 7, 1935.

Mr. President: I have the honor to inform you that the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, on Senate Bill No. 161, Representatives Mode, Muus and Levin.

Also, appointed on Senate Bill No. 88, Representatives Noben, Bettenhausen and Scholl.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 7, 1935.

Mr. President: I have the honor to transmit herewith the following:

House Bills Nos. 212, 323, 325, 355, 76, 40, 213, 30, 262, 172, 258, 86, 276, 313, 256, 72, 93, 95, 60, 54 and 56.

Also,

HOUSE CONCURRENT RESOLUTION A-4

Also,

HOUSE CONCURRENT RESOLUTION A-11

Which the Speaker has signed and your signature is respectfully requested.

Also transmit:

House Bill No. 93, which the Senate has requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House Bill No. 181. A Bill for an Act to Amend and Re-enact Chapter 254 of the Session Laws of 1933 Relating to the Old Age Pensions, Creating an Old Age Pension Fund, Providing for the Levy of Any Annual Tax Therefor, Prescribing Persons to Be Pensioned Thereunder, and Penalties for the Violation Thereof.

Was read the second time.

ROLL CALL

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.
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Nelson, Grand Fks
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Crandall	Kroeber	Stucke
Dubay	Lemke	Thorson
Eastgate	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fredrickson	Matthaei	Vinje
Greene, Cavalier	McDonald	Whelan
Greene, Stutsman	McGillic	Wog
Gronvold	Miklethun	Young
Handley	Mutchler	

Those voting in the negative were:

Messrs.

Watt

Absent and not voting:

Messrs.

Bonzer

Drew

Erickson

Messrs.

Fowler

Lind

Strehlow

Messrs.

Thatcher

So the bill passed and the title was agreed to.

Senator Watt: I want to vote "no." I am a believer in old age pensions, but here you are starting out with something that you don't know where you are going. You are absolutely starting something and there has been no thought given to where this thing is coming out. If I had not been engaged in something else, I intended to discuss this bill. Perhaps I am talking too much in explaining my vote, but I am going to go further.

Twenty years ago when we started the Teachers Insurance and Retirement Fund, just like this, without giving any thought to what we were doing, at that time I, in my weak way, told them as I have this time, that they were making a mistake and events have proved that I was correct. Now they have reached the point where they have had to take away 38% of what they were going to give those old people. I never have looked with favor on taking away from babies anything after you have given it to them, and for that reason I am going to vote "no" on this bill.

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 3084a2, 3084a3, 3084a7 and 3084a9, Supplement to the Compiled Laws of 1913, Providing for the Appointment of the State Coal Mine Inspector by the Workmen's Compensation Bureau, Defining Eligibility to That Office, Providing for Assistance and Instruments to Be Furnished to the Inspector and for Payment Therefor and Providing for the Filling of Temporary Vacancies in the Office. and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.

Braaten

Brostuen

Cain

Coffey

Crandall

Drew

Messrs.

Johnson

Jones

Kamrath

Kolpin

Kroeber

Lemke

Messrs.

Nelson, Grand Fks.

Owings

Peterson

Stucke

Thorson

Topp

Messrs.	Messrs.	Messrs.
Dubay	Lowe	Trout
Eastgate	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	
Handley	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fowler	Strehlow
Erickson	Lind	Thatcher

So the bill passed and the title was agreed to.

Senator Owings moved that the vote by which House Bill No. 122 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The following resolutions were filed with the Secretary of State:

SENATE CONCURRENT RESOLUTION "A-b"

Also,

SENATE CONCURRENT RESOLUTION "A-d"

Also,

SENATE CONCURRENT RESOLUTION "A-j"

Also,

SENATE CONCURRENT RESOLUTION "W"

Also,

SENATE CONCURRENT RESOLUTION "A-i"

Also,

SENATE CONCURRENT RESOLUTION "X"

Also,

SENATE CONCURRENT RESOLUTION "A-h"

Also,

SENATE RESOLUTION "H"

Senator McDonald moved that House Bill No. 220 be laid over one legislative day.

Which motion prevailed.

Senator Greene of Stutsman moved that House Bill No.

164 be amended by adding the emergency clause in the title and at the end of the bill.

Which motion prevailed.

Senator Greene moved that the rules be suspended and that House Bill No. 164, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 164. A Bill for an Act Creating Official Board to Be Known as "North Dakota Poultry Improvement Board" for the Purpose of Improving Poultry Breeding, Control and Eradication of Communicable Poultry Diseases, Authorizing Board to Formulate Plans, to Prescribe, Adopt and Enforce Rules and Regulations for Inspection, Testing and Certifying Poultry Hatcheries and Poultry Breeding Flocks for Breed Improvement in Accordance With Federal Regulations, Authorizing State Livestock Sanitary Board to Prescribe, Adopt and Enforce Rules and Regulations Testing, Approving, and Passing, as Free From Certain Diseases, Poultry Breeding Flocks, Prescribing License Fees and Fees for Service, Providing for Funds to Administer and Enforce This Act, and Fixing Penalties for Violations.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Lemke	Owings
Braaten	Lind	Peterson
Brostuen	Marshall	Stucke
Dubay	Matthaei	Vinje
Fine	McDonald	Wog
Fredrickson	Miklethun	Young
Greene, Stutsman	Mutchler	
Johnson	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Handley	Strehlow
Coffey	Jones	Thorson
Crandall	Kamrath	Topp
Drew	Kolpin	Trout
Eastgate	Kroeber	Trovatten
Erickson	Lowe	Watt
Ettestad	Lynn	Whelan
Greene, Cavalier	McGillic	
Gronvold	Nelson, Grand Fks.	

Absent and not voting:

Messrs.	Messrs.
Fowler	Thatcher

So the bill was lost.

Senator Watt moved that the vote by which House Bill No. 164 was lost be reconsidered and the motion to reconsider be laid on the table.

Senator Marshall demanded a roll call.

A roll call was granted.

ROLL CALL

The question being on the motion of Senator Watt, 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.
Bonzer	Greene, Cavalier	Nelson, Barnes
Cain	Gronvold	Nelson, Grand Fks.
Coffey	Handley	Strehlow
Crandall	Jones	Thorson
Drew	Kamrath	Topp
Eastgate	Kroeber	Watt
Erickson	Lowe	Whelan
Ettestad	Lynn	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Lemke	Owings
Brostuen	Lind	Peterson
Dubay	Marshall	Stucke
Fine	Matthaei	Trout
Fredrickson	McDonald	Trovatten
Greene, Stutsman	McGillic	Vinje
Johnson	Miklethun	Wog
Kolpin	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.
Fowler	Thatcher

So the motion was lost.

Senator Whelan announced that W. C. Husband, Montana State Senator from Harlowtown, Wheatland County, Montana, was present, and moved that the courtesies of the floor be extended to him, which motion prevailed.

Mr. Husband was escorted to the rostrum, and delivered a short address which was greeted with applause.

Senator Cain announced that former State Senator W. D. Lynch was present, and moved that the courtesies of the floor be extended to him, which motion prevailed.

Mr. Lynch was escorted to the rostrum and addressed the Senate.

Senator Bonzer moved that the vote by which House Bill No. 42 was passed be reconsidered.

Which motion prevailed.

Senator Bonzer moved that House Bill No. 42 be placed at the head of the calendar.

Which motion prevailed.

Senator Bonzer moved that House Bill No. 42 be amended as follows:

In Line 3 of Section 1 of the engrossed bill, strike out the figures "\$275,000.00" and insert in lieu thereof the figures "\$200,000.00."

In Line 18 of Section 1 of the engrossed bill, strike out the figures "268,600.00" and insert in lieu thereof the figures "\$193,000.00."

In Line 19, item "Total," strike out the figures "\$275,000.00" and insert in lieu thereof the figures "\$200,000.00."

Which motion prevailed.

Senator Bonzer moved that the rules be suspended, and that House Bill No. 42, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 42. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lowe	Trout
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog

Messrs.	Messrs.	Messrs.
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.
Fowler	Thatcher

So the bill passed and the title was agreed to.

Senator Cain asked unanimous consent to return to the Fifth Order of Business.

Which request was granted.

The Committee on Judiciary made the following report:

Mr. President: Your Committee on Judiciary to whom was referred:

House Bill No. 314. A Bill for an Act Relating to the Granting of Relief in Certain Cases From Inequitable Foreclosure of Mortgages on Real Estate and Execution Sales of Real Estate; for Postponing Certain Sales and for Extending the Periods of Redemption From Certain Others; and Relating to the Jurisdiction and Procedure for Such Relief and for the Right to Possession During the Extended Period, and for Extending the Expiration of Certain Periods of Redemption.

Have had the same under consideration and recommend that the same be indefinitely postponed.

J. P. CAIN,
Chairman.

Senator Cain moved that the report be adopted.

Which motion prevailed and the report was adopted.

MESSAGES FROM THE HOUSE

House of Representatives.
Bismarck, North Dakota,
March 7, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 192. A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; Providing for the Printing of All Matters Coming Under Class 5 of State Printing; Providing for Each State Department or Office to Designate Newspaper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost Thereof and Repeal all Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 226. A Bill for an Act to Amend and Re-enact Sections 8320a13, 8320a14, 8320a19, 8320a20 and 8320a22 of the Supplement to the Compiled Laws of 1913, Relating to Flood Irrigation Projects, and Declaring an Emergency.

Which the House has passed unchanged.

Also return:

Senate Bill No. 136. A Bill for an Act Amending Sections 2889b4, 2889b5 and 2889b6 Supplement to the Compiled Laws of 1913, Relating to Food and Drugs, and Known as the North Dakota Food and Drugs Act.

Also.

Senate Bill No. 247. A Bill for an Act Providing for the Disposition of Liquor and for the Applying of the Proceeds Thereof to the General Fund of the County Where Such Liquor was Seized or is Held, and Declaring an Emergency.

Also,

Senate Bill No. 195. A Bill for an Act to Amend and Re-enact Sections 3, 5, 7, 8, and 11 of the Initiated Measure Entitled "An Act Providing for the Manufacture and Sale, Within the State, of Beer, as Defined by the Congress of the United States, Making Regulations Under Which the Same May Be Done, Providing a Revenue Therefrom, and Repealing Senate Bill No. 263, Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Other Acts or Parts of Acts in Conflict With the Provisions of This Act," Approved by the People of the State of North Dakota at the Special Election Held on the 22nd Day of September, 1933, Relating to the Manufacture and Sale of Beer, and Declaring an Emergency.

Also,

Senate Bill No. 120. A Bill for an Act to Amend and Re-enact Section 2 of That Certain Initiated Law Entitled, "An Act Declaring Mortgages on Growing and Unharvested Crops to be Against the Public Policy of This State, and Abolishing the Same." Approved and Adopted by the Electors at the June 29th, 1932, Primary Election, Repealing Chapter 150, Session Laws of 1933, and Declaring an Emergency.

Also,

Senate Bill No. 231. A Bill for an Act Amending and Re-enacting Sections 1495, and 1526 of the Compiled Laws of the State of North Dakota for the Year 1913, and Amending and Re-enacting Sections 1518, 1521 and 1523, of the Compiled Laws of the State of North Dakota for the Year 1919 as Amended by Chapter 161 of the Session Laws of the State of North Dakota for the Year 1919, Relating to and Modifying the Provisions of the Teachers' Insurance and Retirement Fund, and Repealing Section 1522 of the Compiled Laws of the State of North Dakota for the Year 1913.

Also,

Senate Bill No. 290. A Bill for an Act Imposing a Tax Upon Dogs; Providing for the Assessment, Levy and Collection Thereof; Providing for the Issuance of License Tags for All Dogs Upon Which Said Tax is Assessed; Providing for the Determination and Payment of Losses from Tax Collected Thereunder to the Owners of Livestock or Poultry Damaged by Dogs; Providing for the Killing of Dogs in Certain Cases; Providing for Liability Insurance on Dogs; Providing for Hearing and Appeal; Imposing Powers and Duties on Certain County Officers and Employees, and Providing Penalties for the Violation of This Act, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the House has indefinitely postponed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 7, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 74. A Bill for an Act to Provide for the Payment of the Expense of Auditing and Examining the Affairs of the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, the Bank of North Dakota, Including the Farm Loan Department, the State Hail Insurance Department, the Workmen's Compensation Bureau of the State of North Dakota, the Office of the Beer Commissioner of the State of North Dakota, the North Dakota State Regulatory Department, and the North Dakota Teachers Insurance and Retirement Fund, by the State Board of Auditors Pursuant to Section 369-b of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 186 of the Laws of 1933; Designating and Appropriating the Funds From Which Such Payment Shall Be Made; Providing for the Procedure for Such Payment; Providing for the Repeal of Any Acts in Conflict Herewith; and Declaring an Emergency.

Also,

Senate Bill No. 13. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and ment Station at the Agricultural College, Fargo, North Dakota, Repairs, Equipment and Miscellaneous Items of the Experiment Station, and its Branch Stations.

Also,

Senate Bill No. 123. A Bill for an Act Providing for the Procuring of Coal Mine Licenses from the State Coal Mine Inspector, the Establishment of the State Coal Mining

Safety Fund from Such Fees and for the Disbursement Thereof, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and Reporting Thereof to the State Coal Mine Inspector and Commissioner of Agriculture and Labor, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court from Such Order of Revocation, Providing a Penalty for Failure to Comply with the Law, Repealing Sections 3081, 3082, 3083 and 3084 of the Compiled Laws of the State of North Dakota for the Year 1913 and all Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 269. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by "Company G" 1st Regiment North Dakota National Guard Training School, a Corporation, as Mortgagor, to the State of North Dakota, Dated January 25th, 1909, Filed for Record in the Office of the Register of Deeds of Barnes County, North Dakota, on April 9th, 1909, at Two O'Clock, P. M. and Recorded in Book 43 of Mortgages on Page 3, and Covering Lot Sixteen (16) and the North Half (N½) of Lot Seventeen (17) in Block Seventeen (17) of the Original Plat of Valley City, North Dakota.

Also,

Senate Bill No. 311. A Bill for an Act to Authorize Building and Loan Associations to Insure Members' Investments in Federal Savings and Loan Insurance Corporation and to Provide for the Conversion of Building and Loan Associations and Other Home Financing Organizations Into Federal Savings and Loan Associations, Prescribing the Procedure Therefor, Defining the Results Thereof, and Providing for the Indebtedness of Such Associations, and Declaring an Emergency.

Also,

Senate Bill No. 189. A Bill for an Act Providing for the Better Collection of Taxes and Better Enforcement of Laws Relating to the Imposition and Collection of Taxes Now or Hereafter Imposed Upon Cigarettes, Snuff, Cigarette Papers, Beer and or Any Other Article or Product Now or Hereafter Taxed by a Stamp or Other Special Tax by the State of North Dakota.

Which the House has amended.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Watt moved that the Senate do now recess for ten minutes.

Which motion prevailed.

The Senate re-convened pursuant to recess taken, President pro tem. Marshall presiding.

The President announced the appointment of Senators Gronvold, Watt and Stucke as the Senate Conference Committee on House Bill No. 27.

Also,

Senators Coffey, Fredrickson and Lemke as the Senate Conference Committee on House Bill No. 58.

REPORTS OF SELECT COMMITTEES

Senator Stucke moved that the report of the Conference Committee on House Bill No. 38 be adopted and the committee be discharged.

Which motion prevailed and the report was adopted.

Senator Stucke moved that the rules be suspended and that House Bill No. 38, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 38. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by conference committee, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	McGillic
Braaten	Johnson	Mutchler
Brostuen	Jones	Nelson, Barnes
Coffey	Kamrath	Nelson, Grand Fks.
Crandall	Kolpin	Owings
Drew	Kroeber	Peterson
Dubay	Lemke	Strehlow
Eastgate	Lind	Stucke
Ettestad	Lowe	Thorson
Fine	Lynn	Topp
Fredrickson	Marshall	Trovatten
Gronvold	McDonald	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Matthaei	Watt
Erickson	Miklethun	Whelan
Fowler	Thatcher	Wog
Greene, Cavalier	Trout	
Greene, Stutsman	Vinje	

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Stucke moved that the report of the Conference Committee on House Bill No. 60 be adopted and the committee be discharged.

Which motion prevailed and the report was adopted.

Senator Stucke moved that the rules be suspended and that House Bill No. 60, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 60. 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 second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by conference committee, the roll was called and there were ayes, 41; nays, 0; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Nelson, Barnes
Braaten	Jones	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Coffey	Kolpin	Peterson
Crandall	Kroeber	Strehlow
Drew	Lemke	Stucke
Dubay	Lind	Thatcher
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	McDonald	Watt
Fredrickson	McGillic	Whelan
Gronvold	Miklethun	Young
Handley	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Greene, Stutsman	Vinje
Fowler	Matthaei	Wog
Greene, Cavalier	Thorson	

So the bill passed and the title was agreed to.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 7, 1935.

Mr. Speaker: I have the honor to inform you that the

President has appointed as a new Conference Committee on House Bill No. 27 Senators Gronvold, Watt and Stucke and as a Conference Committee on House Bill No. 58 Senators Coffey, Fredrickson and Lemke.

And a new Conference Committee on House Bill No. 217, Senators Lynn, Nelson of Grand Forks and Greene of Stutsman.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 7, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 38 and has also adopted the report of the Conference Committee on House Bill No. 60.

Very respectfully,

F. E. TUNELL,
Secretary.

President pro tem. Marshall called Senator Johnson to the chair to preside.

Senator Young moved that House Bill No. 112 be amended as follows:

Substitute the original printed bill for the engrossed bill.

Which motion prevailed.

Senator Young moved that the rules be suspended and that House Bill No. 112, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 112. A Bill for an Act Regulating the Purchase, Use, Administering and Handling of Hog Cholera Virus, and Providing Penalties Therefor.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 27; nays, 15; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.
Braaten
Cain
Crandall
Drew

Messrs.
Kamrath
Kolpin
Lind
Lowe

Messrs.
Owings
Peterson
Strehlow
Stucke

Messrs.	Messrs.	Messrs.
Dubay	Lynn	Thorson
Erickson	Marshall	Topp
Fine	Matthaei	Trovatten
Greene, Stutsman	McDonald	Wog
Johnson	McGillic	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Miklethun
Brostuen	Handley	Mutchler
Eastgate	Jones	Nelson, Barnes
Ettestad	Kroeber	Nelson, Grand Fks.
Fredrickson	Lemke	Watt

Absent and not voting:

Messrs.	Messrs.	Messrs.
Coffey	Thatcher	Vinje
Fowler	Trout	Whelan
Greene, Cavalier		

So the bill passed and the title was agreed to.

Senator Young moved that the vote by which House Bill No. 112 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Stucke: "Knowing what I do about the seriousness of allowing the more or less promiscuous use of this virus, at the same time realizing that the farmers of this state want it, I am going to act against my own good judgment and vote aye."

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 2761 of the Compiled Laws of the State of North Dakota for 1913 as Amended by Chapter 64, Session Laws of 1915, Prohibiting the Sale of Purebred Cattle or Cattle Represented to Be Purebred, for any Other Purpose Except Slaughter, Unless Accompanied by a Certificate of Health, and Providing a Penalty Therefor.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 35; nays, 9; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	McGillic
Braaten	Gronvold	Miklethun
Brostuen	Handley	Mutchler
Cain	Johnson	Nelson, Barnes
Coffey	Jones	Nelson, Grand Fks.

Messrs.	Messrs.	Messrs.
Crandall	Kolpin	Owings
Drew	Lemke	Peterson
Dubay	Lind	Strehlow
Eastgate	Lynn	Topp
Ettestad	Marshall	Watt
Fine	Matthaei	Wog
Fredrickson	McDonald	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Erickson	Lowe	Trovatten
Kamrath	Stucke	Whelan
Kroeber	Thorson	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fowler	Thatcher	Vinje
Greene, Cavalier	Trout	

So the bill passed and the title was agreed to.

Senator Owings moved that the vote by which House Bill No. 277 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

House Bill No. 37. A Bill for an Act Making an Appropriation to the Board of Auditors for the Purpose of Carrying out the Provisions of Section 369 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 226, Laws of 1915, and as Amended and Re-enacted by the Initiated Law Approved November 2, 1920, and as Provided for in Chapter 143, Laws of 1923, the Same Being Sections 369 and 369b of the Supplement to the 1913 Compiled Laws of North Dakota, and as Amended and Re-enacted by Chapter 186, Laws of 1933.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 42; nays, 2; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Miklethun
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Cain	Jones	Nelson, Grand F'ks.
Coffey	Kolpin	Owings
Crandall	Kroeber	Peterson
Drew	Lemke	Strehlow
Dubay	Lind	Stucke
Eastgate	Lowe	Topp

Messrs.	Messrs.	Messrs.
Erickson	Lynn	Trovatten
Ettestad	Marshall	Watt
Fine	Matthaei	Whelan
Fredrickson	McDonald	Wog
Greene, Stutsman	McGillic	Young

Those voting in the negative were:

Messrs.	Messrs.
Kamrath	Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fowler	Thatcher	Vinje
Greene, Cavalier	Trout	

So the bill passed and the title was agreed to.

Senator Owings moved that the vote by which House Bill No. 37 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Brostuen moved that House Bill No. 185 be laid over until tomorrow.

Which motion prevailed.

Senator Bonzer moved that House Bill No. 196 be placed at the head of the calendar.

Which motion prevailed.

House Bill No. 196. A Bill for an Act Providing for the Creation and Establishment of a Labor Division Within the Department of Agriculture and Labor, and Providing for the Qualification and Making Provision for the Appointment of a Deputy Within the Department of Agriculture and Labor, to Represent Labor.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Johnson	Nelson, Barnes
Braaten	Jones	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Crandall	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lind	Stucke
Eastgate	Lynn	Thorson
Erickson	Marshall	Topp

Messrs.	Messrs.	Messrs.
Ettestad	Matthaei	Trovatten
Fine	McDonald	Watt
Greene, Stutsman	McGillic	Whelan
Gronvold	Miklethun	Wog
Handley	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Greene, Cavalier	Thatcher
Coffey	Lemke	Trout
Fowler	Low	Vinje
Fredrickson		

So the bill passed and the title was agreed to.

Senator Owings moved that the vote by which House Bill No. 196 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Bonzer moved that House Bill No. 135 be placed at the head of the calendar.

Which motion prevailed.

Senator Erickson moved that House Bill No. 135 be laid over until tomorrow.

Which motion prevailed.

President pro tem. Marshall resumed the chair.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 212. A Bill for an Act Appropriating Five Thousand Dollars (\$5,000.00) to the State Historical Society for the Purchase of the Site of Old Fort Abraham Lincoln in Morton County, North Dakota.

Also,

House Bill No. 323. A Bill for an Act to Amend and Re-enact Sub-section 1 of Section 20, Session Laws of 1931 Relating to Game and Fish.

Also,

House Bill No. 325. A Bill for an Act Relating to the Distribution of the Motor Vehicle Registration Fund.

Also,

House Bill No. 355. A Bill for an Act Making an Appropriation for Payment of a Deficit in the Amount Appropriated for Payment of Per Diem of Employees of Twenty-fourth Legislative Assembly, and Appropriation for Deficit

in the Printing Account of the Twenty-fourth Legislative Assembly, and Declaring an Emergency.

Also,

House Bill No. 76. A Bill for an Act to Amend and Re-enact Chapter 264 of the Session Laws of 1933, Being an Act to Suspend the Operation of Section 2202 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 199 of the Session Laws of 1925, (Section 2202 of the 1925 Supplement to the Compiled Laws of 1913) and as Amended by Chapter 266 of the Session Laws of 1927, Relating to Tax Deeds to Be Issued to the County Upon the Expiration of the Period of Redemption, Upon Due Notice; Tax Deeds to the County and Sale of Property So Acquired Until December 31st, 1935, Further Extend the Time of Suspension to December 31st, 1937; and Suspending the Operation of All Acts or Parts of Acts in Conflict Herewith and Declare an Emergency.

Also,

House Bill No. 40. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Public Health.

Also,

House Bill No. 213. A Bill for an Act Creating the State Athletic Commission, Prescribing its Powers and Duties, Providing Penalties for Violations and Repealing all Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 30. A Bill for an Act Making an Appropriation for the use by the Board of Administration in Administering Child Welfare Laws.

Also,

House Bill No. 262. A Bill for an Act to Amend and Re-enact Section 3596 of the Compiled Laws of 1913, Relating to Procedure in Passing Ordinances in Cities Under the Mayor Council Form of Government.

Also,

House Bill No. 172. A Bill for an Act Providing for the Establishment of Voting Precincts in All Special School Districts; Requiring Establishment of Polling Places for Each 5,000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

House Bill No. 258. A Bill for an Act Providing a Uniform Law for the Administration and Supervision of Trust Estates in the District Court, and Providing the Procedure

and Rules Governing and Relating to Same; and Repealing All of Chapter 122 of the Session Laws of North Dakota for the Year 1931, and All Other Acts or Parts of Acts in Conflict Herewith, and Making the Act an Emergency Measure.

Also,

House Bill No. 86. A Bill for an Act Providing for the Organization of Credit Unions, the Incorporation Thereof, the Internal Regulation and Management of Same, Defining Their Powers and Duties, Fixing the Number of Officers and Committees, Defining Their Powers, Tenure, Compensation and Duties, Providing for the Adoption and Amendment of By-Laws, Prohibiting the Use of the Term "Credit Unions" by Other Persons, Firms, Associations or Corporations, Defining Membership Therein, Regulating the Rights of Borrowers, Interest on Loans, Capital, Reserves, Loans, Security, Dividends, Fines, Expulsion and Withdrawal of Members, Dissolution, Change of Place of Business, Taxation of Property, Providing for Reports and Examinations, and Placing the Same Under the Supervision of the State Banking Board.

Also,

House Bill No. 276. A Bill for an Act Relating to Special Election for Removal of County Seats in Certain Counties, and Petition Therefor, Providing for Preliminary Resolutions by the Board of County Commissioners and Publication Thereof, Notice of Election, Election—How Conducted, and County Seat Designated, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

House Bill No. 313. A Bill for an Act Authorizing and Directing the Register of Deeds in the Various Counties to Remove From Their Files and Destroy Outlawed Seed Liens, Labor Liens, Stallion Liens, Chattel Mortgages and Threshing Liens Filed Prior to January 1, 1920, and by Reason of Failure of Renewal as by Statute Provided Have Become Outlawed; Requiring Records to Be Kept.

Also,

House Bill No. 256. A Bill for an Act Authorizing the County Commissioners to Purchase and Condemn Right of Ways.

Also,

House Bill No. 72. A Bill for an Act Providing for the Investment of Trust Funds by Executors, Administrators and Guardians and the Procedure Required; and Declaring an Emergency.

Also:

House Bill No. 95. A Bill for an Act Legalizing and Validating All Publications and Posting of Tax Sale Notices and Tax Sale Certificates Based Thereon Which Notices Have Been Posted or Published Prior to January 1st, 1935.

Also,

House Bill No. 60. 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,

House Bill No. 54. 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,

House Bill No. 56. 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,

House Concurrent Resolution A-11.

Also,

House Concurrent Resolution A-4.

And the President signed the same in the presence of the Senate.

The President pro tem. called Senator Kroeber to the chair to preside.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 7, 1935.

Mr. Speaker: I have the honor to transmit herewith Senate Bill No. 138 which the president has signed and your signature is respectfully requested.

Also return: House Bills No. 212, 323, 325, 355, 76, 40, 213, 30, 262, 172, 258, 86, 276, 313, 256, 72, 95, 60, 54, 56, House Concurrent Resolution A-11, A-4.

Which the president has signed.

Very respectfully,

F. E. TUNELL,
Secretary.

THURSDAY, MARCH 7, 1935

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Senate Chamber,
Bismarck, North Dakota,
March 7, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 164. A Bill for an Act Creating Official Board to Be Known as "North Dakota Poultry Improvement Board" for the Purpose of Improving Poultry Breeding, Control and Eradication of Communicable Poultry Diseases, Authorizing Board to Formulate Plans, to Prescribe, Adopt and Enforce Rules and Regulations for Inspection, Testing and Certifying Poultry Hatcheries and Poultry Breeding Flocks for Breed Improvement in Accordance With Federal Regulations, Authorizing State Livestock Sanitary Board to Prescribe, Adopt and Enforce Rules and Regulations Testing, Approving, and Passing, as Free From Certain Diseases, Poultry Breeding Flocks, Prescribing License Fees and Fees for Service, Providing for Funds to Administer and Enforce This Act, and Fixing Penalties for Violations.

Also,

House Bill No. 314. A Bill for an Act Relating to the Granting of Relief in Certain Cases From Inequitable Foreclosure of Mortgages on Real Estate and Execution Sales of Real Estate; for Postponing Certain Sales and for Extending the Periods of Redemption From Certain Others; and Relating to the Jurisdiction and Procedure for Such Relief and for the Right to Possession During the Extended Period, and for Extending the Expiration of Certain Periods of Redemption.

Which the Senate has indefinitely postponed.

Also return:

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 2761 of the Compiled Laws of the State of North Dakota for 1913 as Amended by Chapter 64, Session Laws of 1915, Prohibiting the Sale of Purebred Cattle or Cattle Represented to Be Purebred, for any Other Purpose Except Slaughter, Unless Accompanied by a Certificate of Health, and Providing a Penalty Therefor.

Which the Senate has passed unchanged.

Very respectfully,

F. E. TUNELL,
Secretary.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to:

John Score, Christ Stony, Pet Coles, Bucyrus; A. M. Bertstrom, Ole Lysne, Adolph Lysne, Pekin; John Maristuen,

Kempton; E. H. Dahl, Clint Grantier, Nels Peterson and Halvor Ambrosen of Watford City; Mr. and Mrs. O. L. Hopland, Louis Hopland, Pingree; Mrs. C. W. Fine and Winfield Fine, Sheyenne; Senator W. D. Lynch, La Moure; O. P. Oswald, John Oyness, Plaza; Senator W. C. Husband, Harlowtown, Montana; J. H. Sheehan, William Sheehan, Baker, Montana.

Senator Bonzer moved that the Senate recess until 10:30 o'clock tomorrow morning.

Which motion prevailed.

The Senate stood recessed.

F. E. TUNELL,
Secretary.

FIFTY-NINTH DAY AFTER RECESS AND THE
SIXTIETH DAY

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

The Senate convened pursuant to recess, President pro tem. Marshall presiding.

PETITIONS AND COMMUNICATIONS

A petition was presented by Senator Lind, signed Lars Hoff, and three others, from Corinth, N. D., regarding taxation.

Referred to the Committee on Taxes and Tax Laws.

Senator Bonzer moved that the communication from Lilah M. Walker, Burt, N. D., and from Louis McH. Howe, Secretary to President Roosevelt, be printed in the Journal.

Which motion prevailed.

THE WHITE HOUSE
Washington

March 5, 1935.

My dear Senator Marshall:

Your telegram of March fourth, regarding the administration of the seed and feed loan program, has been received.

By direction of the President, it is at once being brought to the attention of the officials of the Farm Credit Administration.

Very sincerely yours,

LOUIS McH. HOWE,
Secretary to the President.

Honorable A. S. Marshall,
President of the Senate,
Bismarck,
North Dakota.

Burt, N. Dak.
March 5, 1935.

Senate Chamber of the Twenty-fourth Legislative Assembly,
Bismarck, North Dakota.

My Dear President Marshall and Senators:

It is difficult for me to find words to adequately express our heartfelt gratitude and appreciation of your very good work in our behalf. That is in regard to the passage of House bill which gives a pension to the Blind People of this State.

This is a much needed law and we blind people realize that we owe you very good Gentlemen a very great debt of gratitude for your kind services. We shall always keep this favor in mind and when an opportunity presents itself it will afford us much happiness to return the kind votes.

I wish to personally thank each of you good Gentlemen for your kind letters and favorable votes. It would be a pleasure for me to write a letter of gratitude to each of you if I had the means of doing so. I hope and trust that this letter will in some small way fulfill my obligation.

President Marshall if it is permissible for to have a letter of this nature read before the Senators will you kindly do so. I thank you for your interest and assistance.

In conclusion I with the Blind People of the State of North Dakota wish you all the best of success. We thank you again for your good services.

I remain yours very sincerely,

LILAH M. WALKER.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 48. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes Assessed and Levied for the Year 1934, and all Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partial Cancellation of the Original Amount of Such Taxes.

Which the Senate has amended.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 122. A Bill for an Act to Provide for Pensions for the Blind, Creating a Pension Fund Therefor,

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Providing for the Levy of Annual Tax, Prescribing Persons to Be Pensioned.

Which the Senate has amended as follows:

Senate Journal, March 5, page 39.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 112. A Bill for an Act Regulating the Purchase, Use, Administering and Handling of Hog Cholera Virus, and Providing Penalties Therefor.

Which the Senate has amended by inserting the original Bill.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 42. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Which the Senate has amended.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 299. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 206 of the 1933 Session Laws of the State of North Dakota, Providing for the Sale of Personal Property or Chattels Ordered Sold by Judicial Action; Providing for the Publication of Notice of Sale, Repealing Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 181. A Bill for an Act to Amend and Re-enact Chapter 254 of the Session Laws of 1933, Relating to the Old Age Pensions, Creating an Old Age Pension Fund, Providing for the Levy of Any Annual Tax Therefor, Prescribing Persons to Be Pensioned Thereunder, and Penalties for the Violation Thereof.

Which the Senate has passed unchanged.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 196. A Bill for an Act Providing for the Creation and Establishment of a Labor Division Within the Department of Agriculture and Labor, and Providing for the Qualification and Making Provision for the Appointment of a Deputy Within the Department of Agriculture and Labor, to Represent Labor; Establishing a State Employment Service in Cooperation With the Federal Government Under the Provisions of the Wagner-Peyser Act. Providing Payment of Salaries and Expenses and Making an Appropriation, and Declaring an Emergency.

Which the Senate has amended.

Very respectfully,

F. E. TUNELL,
Secretary.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 107 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 140, Session Laws of 1913, Defining Usury.

Have had the same under consideration and recommend that the House concur in the Senate amendment.

For the Senate:

ALEX LIND,
A. F. BONZER,
MAX H. STREHLOW.

For the House:

WM. H. BETTENHAUSEN,
CHRIST P. RITTER,
OLE G. FROSAKER.

Senator McDonald moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on House Bill No. 217 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 217. A Bill for an Act to Amend and Re-enact Section 6548a11 of the Supplement to the Compiled Laws of the State of North Dakota 1913, Relating to Exchange of Reciprocal or Inter-Insurance Contracts; Providing for Appointment of Resident Agents; License Fees and Tax; Publication of Abstract of Annual Statement.

Have had the same under consideration and recommend that the same be amended as follows:

In line 1, of the title of the printed bill, strike out the words and figures "and 6548a12."

In line 2, of the title of the printed bill, strike out the figures "1925" and the figures "1913."

In line 3, of the title of the printed bill after the word "Dakota," insert the figures "1913."

In line 5, of the title of the printed bill, after the word "statement," change the semi-colon to a period and strike out the words "providing for."

Strike out all of line 6 of the title of the printed bill.

That Section 2 and 3 of the bill, as amended by the Senate, be stricken out.

For the Senate:

HARRY C. LYNN,
N. N. NELSON,
E. E. GREENE.

For the House:

BEN FEDJE,
FRANK GESSNER,
JOE FITZGERALD.

Senator Lynn moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Lynn moved that the rules be suspended and that House Bill No. 217, as amended, be placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 217. A Bill for an Act to Amend and Re-enact Section 6548a11 of the Supplement to the Compiled Laws of the State of North Dakota 1913, Relating to Ex-

change of Reciprocal or Inter-Insurance Contracts; Providing for Appointment of Resident Agents; License Fees and Tax; Publication of Abstract of Annual Statement.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by conference committee, 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.
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Grand Fks.
Coffey	Jones	Owings
Crandall	Kamrath	Strehlow
Drew	Kolpin	Stucke
Dubay	Kroeber	Thorson
Eastgate	Lemke	Topp
Erickson	Lind	Trout
Ettestad	Lowe	Trovatten
Fine	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	Matthaei	Whelan
Greene, Cavalier	McDonald	Wog
Greene, Stutsman	McGillic	Young
Gronvold		

Those voting in the negative were:

Messrs.
Nelson, Barnes

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Miklethun	Thatcher
Cain	Peterson	

So the bill passed and the title was agreed to.

Senator Owings moved that the vote by which House Bill No. 217 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 1. 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. 23. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession during the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act.

Also,

Senate Bill No. 18. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

Also,

Senate Bill No. 289. A Bill for an Act to Amend and Re-enact Section 11100 of the Compiled Laws of the State of North Dakota Relating to Quorum and Majority Vote of Board Required to Grant Pardon, Providing for the Time of Meetings.

Which the House has amended.

Very respectfully,

WALTER S. MARTIN
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 164. A Bill for an Act to Amend and Re-enact Section 4 (a) of Chapter 166 of the Session Laws of North Dakota for the Year 1929, and to Amend and Re-enact Section 6 of Chapter 189 of the Session Laws of North Dakota for the Year 1931, Being 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; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License;

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.

Also,

Senate Bill No. 313. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; to Make an Appropriation for the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 294. A Bill for an Act to Amend and Re-enact Section 2346a11 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 253 of the 1933 Session Laws; Section 2346a20 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 4 of Chapter 253 of the 1933 Session Laws; Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Sub-section 4 of Section 4 of Chapter 283 of the 1931 Session Laws, Relating to the Taxation of Income of Individuals, Fiduciaries and Corporations; Repealing That Portion of Section 2346a46 of the Supplement to the Compiled Laws of 1913 as was Amended and Re-enacted by Paragraph (b) of Sub-section 4 of Section 6 of Chapter 283 of the 1931 Session Laws and Repealing Sub-section 7 of Section 4 of Chapter 283 of the 1931 Session Laws, and Repealing Sub-section 7 of Section 2346a30 of the 1925 Supplement to the Compiled Laws, and All Other Acts, or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 304. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a

Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing Senate Bill No. 263 Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Acts or Parts of Acts in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof;" and Declaring an Emergency.

Which the House has passed unchanged.

Also return:

Senate Bill No. 198. A Bill for an Act Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 280. A Bill for an Act to Provide for the Establishment of County Debt Adjustment Boards, Prescribing the Duties and Powers of Such Boards and the Duties of the Judges and the Clerks of the District Courts as Regards Such Boards.

Also,

Senate Bill No. 69. A Bill for an Act to Amend and Re-enact Article IV, Sections 1151, 1155, 1158, and Article V, Sections 1160 and 1162 of the Compiled Laws of North Dakota, 1913, Providing the Manner of Holding and Fixing the Date for Annual School Elections in Common School Districts; Providing How and When Reports of Clerk and Treasurer Shall Be Made; Also Providing Date When School Officers Shall Qualify and When Annual Budget and Levy Shall Be Made.

Also,

Senate Bill No. 235. A Bill for an Act to Amend and Re-enact Sections 994, 997, 998 and 1001 of the 1913 Compiled Laws of the State of North Dakota, as Amended, Relating to Absent Voter Ballots; Repealing All Acts in Conflict Herewith.

Also,

Senate Bill No. 260. A Bill for an Act Creating a State Highway Patrol for the State of North Dakota; Authorizing the Attorney General to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Amending Chapter 102 of the Session Laws of North Dakota for the Year 1933 Relating to Bureau of Criminal Identification; Fixing Compensation and Providing for Disposition of Fines Collected; and Declaring an Emergency.

Which the House has indefinitely postponed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following:

Senate Bills Nos. 324, 52, 16, 19, 194, 216, 229, 287, 263, 273, 281, 296, 310, 328, 138.

Also,

SENATE CONCURRENT RESOLUTION No. A-e

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 93 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 93. A Bill for an Act to Amend and Re-enact Section 6756 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Form of Chattel Mortgages.

Have had the same under consideration and recommend that Senate recede from its amendments to said House Bill No. 93.

For the Senate:

T. E. WHELAN,
E. E. GREENE,

For the House:

JAMES CADDELL,
OLE B. STRAY,
J. H. LANGFORD.

Senator Greene of Stutsman moved that the report be adopted which motion prevailed and the report was adopted.

Senator Greene of Stutsman moved that the rules be suspended and that House Bill No. 93, as amended, be placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 93. A Bill for an Act to Amend and Re-enact Section 6756 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Form of Chattel Mortgages.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Gronvold	Mutchler
Brostuen	Johnson	Nelson, Barnes
Coffey	Jones	Nelson, Grand Fks.
Crandall	Kamrath	Owings
Drew	Kolpin	Strehlow
Dubay	Kroeber	Stucke
Eastgate	Lemke	Thorson
Erickson	Lind	Topp
Ettestad	Lowe	Trovatten
Fine	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	Matthaei	Whelan
Greene, Cavalier	McDonald	Wog
Greene, Stutsman	McGillie	

Those voting in the negative were:

Messrs.	Messrs.
Handley	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Miklethun	Thatcher
Cain	Peterson	Trout

So the bill passed and the title was agreed to.

Senator McDonald moved that the vote by which House Bill No. 93 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate adopted the report of the Conference Committee on House Bill No. 107.

Also,

The Senate has adopted the report of the Conference Committee on House Bill No. 217.

Also,

That the Senate has adopted the report of the Conference Committee on House Bill No. 93.

And return herewith House Bill No. 93, passed by the Senate, as amended, by the Conference Committee.

Very respectfully,

F. E. TUNELL,
Secretary.

The President pro tem. Marshall called Senator Lind to the chair to preside.

Senator Wog moved that House Bill No. 135 be placed at the foot of the calendar.

Which motion prevailed.

Senator Marshall resumed the chair.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Fredrickson moved that action be deferred on the Conference Committee report on Senate Bill No. 74.

Which motion prevailed.

Senator Dubay moved that the Senate do concur in the House amendment to Senate Bill No. 311.

Which motion prevailed.

Senator Fine moved that the rules be suspended and that Senate Bill No. 311, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 311. A Bill for an Act to Authorize Building and Loan Associations to Insure Members' Investments in Federal Savings and Loan Insurance Corporation and to Provide for the Conversion of Building and Loan Associations and Other Home Financing Organizations Into Federal Savings and Loan Associations, Prescribing the Procedure Therefor, Defining the Results Thereof, and Providing for the Indebtedness of Such Associations, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Coffey	Jones	Nelson, Grand Fks.
Crandall	Kamirath	Owings

Messrs.	Messrs.	Messrs.
Drew	Kolpin	Strehlow
Dubay	Kroeber	Stucke
Eastgate	Lemke	Thorson
Erickson	Lind	Topp
Ettestad	Lowe	Trovatten
Fine	Lynn	Vinje
Fowler	Marshall	Whelan
Fredrickson	McDonald	Wog
Greene, Cavalier	Miklethun	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Matthaei	Thatcher
Cain	McGillic	Trout
Greene, Stutsman	Peterson	Watt
Gronvold		

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Fowler moved that the vote by which Senate Bill No. 311 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fowler requested action be deferred on the Conference Committee report on Senate Bill No. 13.

Which request was granted.

Senator McDonald moved that the Senate do concur in the House amendment to Senate Bill No. 123.

Which motion prevailed.

Senator McDonald moved that the rules be suspended and that Senate Bill No. 123, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 123. A Bill for an Act Providing for the Procuring of Coal Mine Licenses from the State Coal Mine Inspector, the Establishment of the State Coal Mining Safety Fund from Such Fees and for the Disbursement Thereof, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and Reporting Thereof to the State Coal Mine Inspector and Commissioner of Agriculture and Labor, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court from Such Order of Revocation, Providing a Penalty for Failure to Comply with the Law, Repealing Sections 3081, 3082, 3083 and 3084 of the Compiled Laws of the State of North Dakota for the Year 1913 and all Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Handley	Mutchler
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Nelson, Grand Fks.
Cain	Kamrath	Owings
Crandall	Kolpin	Peterson
Drew	Kroeber	Stucke
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trovatten
Ettestad	Lynn	Vinje
Fine	Marshall	Whelan
Fowler	McDonald	Wog
Fredrickson	McGillic	Young
Greene, Cavalier	Miklethun	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Coffey	Matthaei	Trout
Greene, Stutsman	Strehlow	Watt
Gronvold	Thatcher	

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator McDonald moved that the vote by which Senate Bill No. 123 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Miklethun moved that the Senate do concur in the House amendment to Senate Bill No. 269.

Which motion prevailed.

Senator Miklethun moved that the rules be suspended and that Senate Bill No. 269, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 269. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by "Company G" 1st Regiment North Dakota National Guard Training School, a Corporation, as Mortgagor, to the State of North Dakota, Dated January 25th, 1909, Filed for Record in the Office of the Register of Deeds of Barnes County, North Dakota, on April 9th, 1909, at Two O'Clock, P. M. and Recorded in

Book 43 of Mortgages on Page 3, and Covering Lot Sixteen (16) and the North Half (N½) of Lot Seventeen (17) in Block Seventeen (17) of the Original Plat of Valley City, North Dakota.

Was read the second time.

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 46; nays, 0; absent and not voting, 3.

ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thorson
Eastgate	Lind	Topp
Erickson	Lowe	Trovatten
Ettestad	Lynn	Vinje
Fine	Marshall	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog
Greene, Cavalier	Miklethun	Young
Greene, Stutsman		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Matthaei	Thatcher	Trout

So the bill passed and the title was agreed to.

Senator Miklethun moved that the vote by which Senate Bill No. 269 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fowler moved that action be deferred on the Conference Committee report on Senate Bill No. 189.

Which motion prevailed.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 58 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items

for the Grafton State School at Grafton, North Dakota; Imposing Certain Duties on the Board of Administration in Relation Thereto When Funds May Be Obtained From the Federal Government for the Above Purposes; and Declaring an Emergency.

Have had the same under consideration and recommend the following amendments to the engrossed bill:

In line 2, of the title of the engrossed bill, after the word "repairs," add the words "new building."

In line 5, Section 1, of the engrossed bill, after the word "repairs," insert the words "new building."

And adopt the report of the Senate Standing Committee with the following amendments:

Correct the figures in line 3, Section 1, to read as follows: "\$191,458.00."

In line 40b, strike out the figures "100,000.00" and insert in lieu thereof the figures "95,000.00."

And further amend the amendment of the Standing Committee, in line 50 of the engrossed bill, item "Total" by striking out the figures "\$196,458.00" and inserting in lieu thereof the figures "\$191,458.00."

For the Senate:

GEORGE V. COFFEY,
L. O. FREDRICKSON,
B. W. LEMKE.

For the House:

LELAND SMITH,
S. OGLESBY,
FRANKLIN PAGE.

Senator Coffey moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Coffey moved that the rules be suspended and that House Bill No. 58, as amended, be placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota; Imposing Certain Duties on the Board of Administration in Relation Thereto When Funds May Be Obtained From the Federal Government for the Above Purposes; and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Bonzer	Greene, Stutsman	Miklethun
Braaten	Gronvold	Mutchler
Brostuen	Handley	Nelson, Barnes
Cain	Johnson	Nelson, Grand Fks.
Coffey	Jones	Owings
Crandall	Kamrath	Peterson
Drew	Kolpin	Stucke
Dubay	Kroeber	Thorson
Eastgate	Lemke	Topp
Erickson	Lind	Trovatten
Ettestad	Lowe	Vinje
Fine	Lynn	Watt
Fowler	Marshall	Whelan
Fredrickson	McDonald	Wog
Greene, Cavalier	McGillic	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Matthaei	Thatcher	Trout
Strehlow		

So the bill passed and the title was agreed to.

Senator Mutchler moved that the vote by which House Bill No. 58 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return Senate Bill No. 18 and the Speaker has appointed as a Conference Committee on Senate Bill No. 18, Representatives Anderson of Sargent, Hanson and Graham.

The Speaker has also appointed as a Conference Committee on Senate Bill No. 74, Representatives Beggs, Brunsdale and Lavik.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Watt asked that the Message from the House on Senate Bill No. 18 be placed before the Senate.

Which request was granted.

Senator Fredrickson moved that the Senate do concur in the House amendment to Senate Bill No. 18.

Which motion prevailed.

Senator Fredrickson moved that the rules be suspended and that Senate Bill No. 18, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 18. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Crandall	Kamrath	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Stucke
Eastgate	Lind	Thorson
Erickson	Lowe	Topp
Ettestad	Lynn	Trovatten
Fine	Marshall	Vinje
Fowler	Matthaei	Watt
Fredrickson	McDonald	Wog
Greene, Cavalier	McGillic	Young
Greene, Stutsman	Miklethun	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Coffey	Thatcher	Whelan
Kolpin	Trout	

So the bill passed and the title was agreed to.

Senator Dubay moved that the vote by which Senate Bill No. 18 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fowler asked that the Message from the House on Senate Bill No. 13 be placed before the Senate.

Which request was granted.

Senator Fowler moved that the Senate do not concur in the House amendment to Senate Bill No. 13 and that a Conference Committee be appointed.

Which motion prevailed.

Senator Cain requested that the Message from the House on Senate Bill No. 23 be placed before the Senate.

Which request was granted.

The President announced the appointment of Senators Fowler, Miklethun and Watt as the Senate Conference Committee on Senate Bill No. 13.

Senator Cain moved that the Senate do concur in the House amendment to Senate Bill No. 23.

Which motion prevailed.

Senator Cain moved that the rules be suspended and that Senate Bill No. 23, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 23. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession during the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act.

Was read the second time.

ROLL CALL

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.
Bonzer	Gronvold	Mutchler
Braaten	Handley	Nelson, Barnes
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thorson

Messrs.	Messrs.	Messrs.
Eastgate	Lind	Topp
Erickson	Lowe	Trovatten
Ettestad	Lynn	Vinje
Fine	Marshall	Watt
Fowler	Matthaei	Whelan
Fredrickson	McDonald	Wog
Greene, Cavalier	McGillic	Young
Greene, Stutsman	Miklethun	

Absent and not voting:

Messrs.	Messrs.
Thatcher	Trout

So the bill passed and the title was agreed to.

Senator Cain moved that the vote by which Senate Bill No. 23 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 158. A Bill for an Act to Require Free Correspondence Courses to Be Provided for all North Dakota Children of High School Age.

Which the House has amended.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 311.

Also,

Senate Bill No. 123.

Also,

Senate Bill No. 269.

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Also, the Senate has adopted the report of the Conference Committee on House Bill No. 58.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House Amendment to Senate Bill No. 13 and the President has appointed as a Conference Committee, Senators Fowler, Miklethun and Watt.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 18.

Also,

Senate Bill No. 23.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Bonzer moved that the Senate do now go into executive session for the purpose of confirmation.

Which motion prevailed and the Senate went into executive session.

It was moved and seconded that the nomination of Adam A. Lefor as State Bank Examiner be laid before the Senate.

Which motion prevailed.

It was moved and seconded that the Senate do advise and consent in the nomination of Adam A. Lefor as State Bank Examiner.

Which motion prevailed.

Senator Matthaei moved that the Senate recess until 1:15 P. M.

Which motion prevailed.

The Senate covered pursuant to recess, President pro tem. Marshall presiding.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Fowler requested that action on the Conference Committee report on Senate Bill No. 189 be laid over until after adjournment.

Which request was granted.

Senator Fredrickson moved that the Senate do not concur in the House amendments to Senate Bill No. 1 and that a Conference Committee be appointed.

Which motion prevailed.

Senator McDonald moved that the Senate do concur in the House amendments to Senate Bill No. 289.

Which motion prevailed.

Senator McDonald moved that the rules be suspended and that Senate Bill No. 289, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 289. A Bill for an Act to Amend and Re-enact Section 11100 of the Compiled Laws of the State of North Dakota Relating to Quorum and Majority Vote of Board Required to Grant Pardon, Providing for the Time of Meetings.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Braaten	Handley	McGillic
Brostuen	Johnson	Mutchler
Crandall	Jones	Nelson, Barnes
Dubay	Kamrath	Nelson, Grand Fks.
Eastgate	Kolpin	Owings
Erickson	Kroeber	Peterson
Ettestad	Lemke	Topp
Fredrickson	Lind	Trovatten
Greene, Cavalier	Lynn	Vinje
Greene, Stutsman	Marshall	Wog
Gronvold	McDonald	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lowe	Thatcher
Cain	Matthaei	Thorson
Coffey	Miklethun	Trout

Messrs.	Messrs.	Messrs.
Drew	Strehlow	Watt
Fine	Stucke	Whelan
Fowler		

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Dubay moved that the vote by which Senate Bill No. 289 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fredrickson moved that the Senate do concur in the House amendments to Senate Bill No. 74.

Which motion prevailed.

Senator Fredrickson moved that the rules be suspended and that Senate Bill No. 74, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 74. A Bill for an Act to Provide for the Payment of the Expense of Auditing and Examining the Affairs of the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, the Bank of North Dakota, Including the Farm Loan Department, the State Hail Insurance Department, the Workmen's Compensation Bureau of the State of North Dakota, the Office of the Beer Commissioner of the State of North Dakota, the North Dakota State Regulatory Department, and the North Dakota Teachers Insurance and Retirement Fund, by the State Board of Auditors Pursuant to Section 369-b of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 186 of the Laws of 1933, Designating and Appropriating the Funds From Which Such Payment Shall Be Made; Providing for the Procedure for Such Payment; Providing for the Repeal of Any Acts in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Jones	Nelson, Barnes
Braaten	Kamrath	Nelson, Grand Fks.
Brostuen	Kolpin	Owings
Crandall	Kroeber	Peterson
Dubay	Lemke	Stucke
Eastgate	Lind	Thorson

Messrs.	Messrs.	Messrs.
Erickson	Lowe	Topp
Ettestad	Lynn	Trovatten
Fowler	Marshall	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Whelan
Gronvold	Miklethun	Wog
Handley	Mutchler	Young
Johnson		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Fine	Strehlow
Coffey	Greene, Stutsman	Thatcher
Drew	Matthaei	Trout

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Dubay moved that the vote by which Senate Bill No. 74 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fredrickson asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Fredrickson moved that the vote by which House Bill No. 37 was passed be reconsidered.

Which motion prevailed.

Senator Fredrickson moved that House Bill No. 37 be amended as follows:

In line 3, change the figures "\$35,000" to "\$5,000."

Which motion prevailed.

Senator Fredrickson moved that the rules be suspended and that House Bill No. 37, as amended, be placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 37. A Bill for an Act Providing Who Shall Be Employed on All Public Work, Providing for the Qualification of Such Employees, and Prohibiting Deduction from Wages.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Johnson	Mutchler
Braaten	Jones	Nelson, Barnes
Brostuen	Kamrath	Nelson, Grand Fks.
Coffey	Kolpin	Owings
Crandall	Kroeber	Peterson
Dubay	Lemke	Strehlow
Eastgate	Lind	Topp
Erickson	Lowe	Trovatten
Ettestad	Lynn	Vinje
Fowler	Marshall	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Gronvold	Miklethun	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Greene, Stutsman	Thatcher
Drew	Matthaei	Thorson
Fine	Stucke	Trout

So the bill passed and the title was agreed to.

Senator Fredrickson moved that the vote by which Senate Bill No. 27 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 196.

Also, House Bill No. 42.

Also, House Bill No. 112.

Also, House Bill No. 122.

Also the House has refused to concur in the Senate amendment to House Bill No. 48, and the Speaker has appointed as a Conference Committee to act with a like committee from the Senate, Representatives Anderson of Divide, Twichell and Holey.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Bonzer asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

SENATE CONCURRENT RESOLUTION No. A-1

Introduced by Senators Watt, Stucke and Marshall

WHEREAS, In its efforts to increase the price of farm commodities produced in the United States, Congress has enacted laws that have made it possible to withdraw a large acreage which may no longer be planted to our major export crops and prevailed upon the farmers to reduce their acreage over 40 million acres in 1934, and to destroy millions of pigs, with the prime object in view of reducing farm surplus that is claimed to be one of the major factors creating the low market value of wheat and other farm products; and

WHEREAS, Statistics show that large amounts of wheat, durum, rye, corn, barley, oats, flax and pork have been imported into this country from Canada, Argentine, Hungary, France, Peru, Mexico, Bulgaria, Roumania, Persia, Poland, Russia, India and China, and entered into competition with domestic products, even after paying the now prevailing tariff duties; and

WHEREAS, Statistics show that the importation into the United States from Canada alone of wheat, for a period of six months next preceding January 1, 1935, has increased from approximately 100,000 bushels to approximately 13 million bushels as compared with the same period one year previous, also for the same period the importations of flour have increased from 2,765 barrels to 40,884 barrels; and

WHEREAS, The unrestricted importation of such grain can have but a depressing effect upon the market value of grains produced in this State and ultimately result in keeping the market value of all crops below the cost of production, and it would be to the best interests of the grain producing states that such unrestricted importation be curtailed until such time as domestic grains may reach a market value that will insure producers a fair profit over the cost of production,

BE IT THEREFORE RESOLVED, BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That the President of the United States is hereby respectfully requested to take the necessary steps, through the proper Departments, to either increase the tariff or declare an embargo where the conditions warrant, to protect domestic producers of grains against the foreign competition on our market that the American farmers are unable to meet if they are to maintain the standard of living to which every American citizen is entitled;

That a copy of this resolution be forwarded to the President of the United States, the Secretary of the Treasury of the United States, the Secretary of Agriculture of the United States, and to each of our representatives in Congress.

Senator Stucke moved that Senate Concurrent Resolution "A-1" be adopted, printed in the Journal and immediately messaged to the House.

Which motion prevailed.

SENATE CONCURRENT RESOLUTION "A-m"

Introduced by Joint Committee on Employment

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That Fred Tunell, Secretary of the Senate, and Walter S. Martin, Chief Clerk of the House, are hereby authorized, empowered and employed to compare and index the Journal of the Twenty-fourth 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 Fred Tunell, Secretary of the Senate, and Walter S. Martin, Chief Clerk of the House, are hereby directed and required at their 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 said Fred Tunell, Secretary of the Senate, and Walter S. Martin, Chief Clerk of the House, as above set forth, that they be paid the sum of \$400.00 each, which shall include compensation for an assistant to be selected by each, all to be paid as other legislative expenses, and paid when the respective claims are verified by the affidavits of said Fred Tunell and Walter S. Martin 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 Secretary of the Senate and the said Chief Clerk of the House as part of the legislative expenses of this session.

Senator Whelan moved that Senate Concurrent Resolution "A-m" be adopted by roll call.

Which motion prevailed.

ROLL CALL

The question being on the adoption of Senate Concurrent Resolution "A-m", 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.
Bonzer	Johnson	Nelson, Barnes
Braaten	Jones	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Drew	Lemke	Stucke
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Ettestad	Lynn	Trout

Messrs.	Messrs.	Messrs.
Fine	Marshall	Trovatten
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Stutsman	McGillic	Whelan
Gronvold	Miklethun	Wog
Handley	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Greene, Cavalier	Thatcher
Erickson		

So the resolution was adopted.

SENATE CONCURRENT RESOLUTION NO. A-n

Introduced by the Joint Committee on Employment

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING:

That J. M. Anderson and S. I. Cofell, mailing clerks of the Senate, and Lloyd Engh and Sam Labrenz, mailing clerks of the House, of the Twenty-fourth Legislative Session, be retained for five days after the close of this session to complete sending Senate and House Journals of the last days of the session; and that H. R. Long, proof reader in the House and R. T. Wood, proof reader in the Senate be retained for two days after the close of the session to finish proof reading the Journals of the House and Senate for the last day of this Twenty-fourth Legislative Assembly; and that George DeFoe, Henry Jacobson and Chester Hamilton, pages of the Senate, and Kenneth Morgan, Roland Broschat and Harold Gaulke, pages of the House, be retained for two extra days after the close of the session for the purpose of wrapping and either mailing or expressing to the members of the Senate and House, bill books, journals, reports and files; and that Clara Kane and Mabel Engeseth, stenographers in the House, and Margaret O. Sheehan and Betty Boyle, stenographers in the Senate, be retained for one extra day, for the purpose of taking care of legislators' correspondence.

BE IT FURTHER RESOLVED, that each of the above named employees, to-wit: J. M. Anderson, S. I. Cofell, Lloyd Engh and Sam Labrenz, as mailing clerks, be paid for said additional five days the sum of \$4.50 per day; and that H. R. Long and R. T. Wood, proof readers, be paid the sum of \$5.00 per day for two days; that George DeFoe, Henry Jacobson, Chester Hamilton, Kenneth Morgan, Roland Broschat and Harold Gaulke, as pages, be paid the sum of \$4.50 per day for said additional two days; that Clara Kane, Mabel Engeseth, Margaret Sheehan and Betty Boyle, as stenographers, be paid the sum of \$5.00 per day for said one extra day; all the above to be paid as other legislative expense and paid when the respective claims are verified by the affidavits of said parties herein named. at the completion of such work.

Senator Whelan moved that Senate Concurrent Resolution A-n be adopted by roll call.

Which motion prevailed.

ROLL CALL

The question being on the adoption of Senate Concurrent Resolution A-n, 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.
Bonzer	Johnson	Nelson, Barnes
Braaten	Jones	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Drew	Lemke	Stucke
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Stutsman	McGillic	Whelan
Gronvold	Miklethun	Wog
Handley	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Greene, Cavalier	Thatcher
Erickson		

So the Resolution was adopted.

SENATE RESOLUTION NO "A-o"

Introduced by Committee on Employment

WHEREAS, there has been an unprecedented amount of work during the last week of the session, particularly for the Enrolling and Engrossing Clerks which necessitated the employment of an additional clerk, and

WHEREAS, Norma Wetzstein was employed as enrolling clerk for five days, and,

WHEREAS, a number of Senate attaches worked at their respective tasks several days before being sworn in, for which work they have received no pay, said persons being R. T. Wood, Proof Reader, having worked two days; E. A. Patterson, Custodian, having worked three days; and Arnold Grimm, having worked two days, and,

WHEREAS, Chester Hamilton, messenger, for the Senate expended \$9.40 taxi hire as messenger, and Henry Jacobson, messenger for the Senate expended \$3.20 for which they have not been reimbursed.

NOW THEREFORE BE IT RESOLVED that Norma Wetzstein be paid \$5.00 per day for five days work as enrolling clerk; that R. T. Wood be paid \$5.00 per day for two days as proof reader; that E. A. Patterson be paid \$4.50 per day for three days as custodian; that Arnold Grimm be paid \$4.50 per day for two days as custodian; that Chester Hamilton be paid \$9.40 as expense for taxi hire as messenger; and that Henry Jacobson be paid \$3.20 for taxi hire as messenger.

BE IT FURTHER RESOLVED that Edna Walsh be retained for one day after the close of the session to enroll resolutions, and that she be paid \$5.00 per such additional day; and that J. C. Goll, Bill Clerk, be retained for two days after the close of the session to assist the desk force, and that he be paid, therefor, the sum of \$5.00 for each additional day.

Senator Whelan moved that Senate Concurrent Resolution A-o be adopted by roll call.

Which motion prevailed.

ROLL CALL

The question being on the adoption of Senate Concurrent Resolution A-o, 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.
Bonzer	Johnson	Nelson, Barnes
Braaten	Jones	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Drew	Lemke	Stucke
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Ettestad	Lynn	Trout
Fine	Marshall	Trovatten
Fowler	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Stutsman	McGillic	Whelan
Gronvold	Miklethun	Wog
Handley	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	Greene, Cavalier	Thatcher
Erickson		

So the Resolution was adopted.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

FRIDAY, MARCH 8, 1935

1575

SENATE CONCURRENT RESOLUTION "A-n"

Also,

SENATE CONCURRENT RESOLUTION "A-o"

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

SENATE CONCURRENT RESOLUTION "A-l"

Also,

SENATE CONCURRENT RESOLUTION "A-m"

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 289.

Also,

Senate Bill No. 74.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 217.

Also,

House Bill No. 58.

Also,

The House has refused to adopt the report of the Conference Committee on House Bill No. 107 and the Speaker has appointed as a new Conference Committee to act with a like Committee from the Senate, Representatives Treffry, Keidel and Kapaun.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Miklethun moved the Senate do now adjourn.

Which motion prevailed.

The Senate stood adjourned.

SIXTIETH DAY

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

The Senate convened pursuant to adjournment, President pro tem. Marshall presiding.

Prayer by Chaplain, Rev. F. G. Norris.

Roll Call: All Senators were 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 Fifty-eighth day after recess and the Fifty-ninth day and recommend that the same be corrected as follows:

Beginning with line 8, page 71, strike out "Senate Bill No. 164" and the title following, and insert in lieu thereof "House Bill No. 164," and the title of the same.

And when so corrected recommend that the same be approved.

R. A. OWINGS,
Chairman.

Senator Owings moved that the report be adopted, which motion prevailed and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 27.

Also, the House has refused to adopt the report of the Conference Committee on Senate Bill No. 161 and the Speaker has appointed as a new Conference Committee to act with a like Committee from the Senate, Representatives Solberg, Burke and Brusseau.

Also, the Speaker has appointed as a Conference Committee on Senate Bill No. 13, Representatives Place, Hall and Biberdorf.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return:

House Bill No. 37. A Bill for an Act Making an Appropriation to the Board of Auditors for the Purpose of Carrying out the Provisions of Section 369 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 226, Laws of 1915, and as Amended and Re-enacted by the Initiated Law Approved November 2, 1920, and as Provided for in Chapter 143, Laws of 1923, the Same Being Sections 369 and 369b of the Supplement to the 1913 Compiled Laws of North Dakota, and as Amended and Re-enacted by Chapter 186, Laws of 1933.

Which the Senate has amended as follows:

In line 3 strike out the figures "\$35,000.00," and insert the figures "\$5,000.00."

Very respectfully,

F. E. TUNELL,
Secretary.

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 Joint Memorial Resolutions:

Porter J. McCumber	E. E. Cole
Earl P. Bishop	J. B. McArthur
Frank H. Hyland	P. J. Narum
Anton T. Kraabel	Daniel Torfin
Andrew A. Bruce	Percy Trubshaw
Burleigh F. Spaulding	Joseph H. Rogers
Carl L. Broschat	Henry Hale

Dana J. Tinnes
 James Johnson
 James E. Robinson
 Fred F. Carter
 George B. Winship
 John P. Galbraith
 John A. Sorley
 August Isaak
 John I. Lerom
 James McManus
 J. D. Bacon
 William S. Whitman
 William J. Clapp
 Henry Geiger
 Paul Johnson
 T. A. Gagnon
 A. E. Sandlie
 Christ J. Hanson
 Alex Stern

Edw. H. Lohnes
 Henry Clay Hansborough
 George D. Laird
 Anton Fried
 Chester H. Sheils
 Wm. J. Zieman
 F. H. Thatcher
 L. D. Bailey
 Ferdinand Leutz
 James Campbell
 C. W. Reichert
 Robert Fox
 Tom Oksendahl
 Ernest Moeckel
 Fred J. Lyons
 L. W. Sauer
 W. F. Dunham
 H. H. Keith
 Levi Johnson
 Christ Geigler

And find the same correctly enrolled.

T. E. WHELAN,
 Chairman.

Senator Whelan 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 Amend and Re-enact Section 486 of the Compiled Laws of North Dakota of 1913, as Amended and Re-enacted by Section 2 of Chapter 2 of Chapter 211 of the Session Laws of 1927, and as Further Amended and Re-enacted by Chapter 185 of Session Laws of 1929 and Section 2 of Chapter 211, Session Laws of 1927.

Also,

Senate Bill No. 98. A Bill for an Act to Amend and Re-enact Subsection (3) of Section 1, Chapter 196, Session Laws of North Dakota for the Year 1927, and Declaring an Emergency.

Also,

Senate Bill No. 192. A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; Providing for the Printing of All Matters Coming Under Class 5 of State Printing; Providing for Each State Department or Office to Designate Newspaper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost

Thereof and Repeal all Acts and Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 175. A Bill for an Act Providing for a System of Municipal Control of the Purchase, Sale, Importation, Transportation, Handling, Possessing, Dispensing and Use of Alcohol and Alcoholic Beverages by Any Incorporated City of the State Having a Population of Two Hundred or More; the Levy and Collection of a Tax Thereon; the Duties of the State Treasurer; Providing for Injunctions Against and Abatement of Liquor Nuisances; the Continuing in Force of the Present Statutory Regulations Prohibiting the Manufacture, Sale and Possession of Intoxicating Liquors; Providing Penalties for Violations of the Provisions of This Act.

Also,

Senate Bill No. 306. A Bill for an Act Authorizing the Governor to Enter Into Agreements with the President of the United States Under an Act of Congress Entitled "An Act for the Relief of Unemployed Through the Performance of Useful Public Work, and for Other Purposes," Approved March 31, 1933, and Other Acts Supplemental Thereto; Authorizing the Governor to Enter Into Agreements With Private Land Owners, Declaring the Rights and Duties of the Conservation Commission and of Such Land Owner Thereunder and Providing Procedure for Giving Notice to Mortgagees and Lien Holders Against Lands Affected, and Declaring an Emergency.

Also,

Senate Bill No. 212. A Bill for an Act Validating, Ratifying, Approving and Confirming Bonds, Warrants and Other Instruments or Obligations Heretofore Issued by Public Bodies of This State for the Purpose of Financing in Whole or in Part Public Works Projects, and Validating All Proceedings Heretofore Taken for the Incorporation of Any Public Body as Defined in the Act, and Declaring an Emergency.

Also,

Senate Bill No. 226. A Bill for an Act to Amend and Re-enact Sections 8320a13, 8320a14, 8320a19, 8320a20 and 8320a22 of the Supplement to the Compiled Laws of 1913, Relating to Flood Irrigation Projects, and Declaring an Emergency.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

The President announced the appointment of Senators Fredrickson, Trovatten and Erickson as the Senate Conference Committee on Senate Bill No. 1.

MESSAGE TO THE HOUSE

Senate Chamber.
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 1 and the President has appointed as a Conference Committee, Senators Fredrickson, Trovatten and Erickson.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Stucke moved that the Senate recess for a few minutes.

Which motion prevailed.

During the recess Senator Strehlow took the chair. Governor Welford and President pro tem. Marshall were presented with gifts which were acknowledged by fitting remarks to which Senators Whelan, Bonzer, Fine, Watt, Matthaei, Coffey and W. J. Church, Assistant Secretary of the Senate responded.

The Senate reconvened pursuant to recess taken, President pro tem. Marshall presiding.

REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 156 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 156. A Bill for an Act to Amend and Re-enact Sub-division (d) of Section 1 of Chapter 188 of the Session Laws of 1931, Relating to Regulations of Motor Vehicle Transportation, and Declaring an Emergency.

Have had the same under consideration and have failed to agree thereon and recommend that the Conference Committee be discharged and a new Committee be appointed.

Senator Owings moved that the report be adopted, which motion prevailed and report was adopted.

The Conference Committee on Senate Bill No. 88 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Subdivision (e) of Section 1 of Chapter 161, Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Have had the same under consideration and have failed to agree thereon and recommend that the Conference Committee be discharged and a new Committee be appointed.

Senator Handley moved that the report be adopted, which motion prevailed and the report was adopted.

The Conference Committee on Senate Bill No. 13 made the following report:

Senate Bill No. 13. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota, and its Branch Stations.

Mr. President: Your Conference Committee on Senate Bill No. 13, report as follows:

(1) That the House amendment in line 21, reducing that item from \$8,000.00 to \$5,000.00, be agreed to and adopted.

(2) That the House amendments in line 25, reducing the item of \$40,000.00 to \$30,000.00 be not agreed to and that the House recede therefrom.

For the Senate:

A. W. FOWLER,
WM. WATT,
JOHN L. MIKLETHUN.

For the House:

WM. O. BIBERDORF,
ROY P. HALL,
W. S. PLACE.

Senator Fowler moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Fowler moved that the rules be suspended and that Senate Bill No. 13, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 13. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota, and its Branch Stations.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Nelson, Barnes
Braaten	Johnson	Nelson, Grand Fks.
Brostuen	Jones	Owings
Cain	Kamrath	Peterson
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trout
Ettestad	Marshall	Trovatten
Fine	Matthaei	Vinje
Fowler	McDonald	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold		

So the bill passed and the title was agreed to.

Senator Fowler moved that the vote by which Senate Bill No. 13 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President announced the appointment of Senators Peterson, Brostuen, Bonzer, as the Senate Conference Committee on Senate Bills Nos. 156 and 88.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has refused to adopt the report of the Conference Committee on Senate Bill No. 88 and the President has appointed as a new Conference Committee, Senators Peterson, Brostuen and Bonzer.

And on Senate Bill No. 156, the same above committee.

Very respectfully,

F. E. TUNELL,
Secretary.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Greene of Stutsman moved that the Senate do concur in the House amendments to Senate Bill No. 158.

Senator Greene of Stutsman moved that the rules be suspended and that Senate Bill No. 158, as amended, be con-

sidered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 158. A Bill for an Act to Require Free Correspondence Courses to Be Provided for all North Dakota Children of High School Age.

Was read the second time.

ROLL CALL

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, 1; absent and not voting, 3.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Nelson, Barnes
Braaten	Jones	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Coffey	Kolpin	Peterson
Crandall	Kroeber	Strehlow
Drew	Lemke	Stucke
Dubay	Lind	Thatcher
Eastgate	Lowe	Thorson
Erickson	Lynn	Topp
Ettestad	Marshall	Trout
Fowler	Matthaei	Trovatten
Greene, Cavalier	McDonald	Vinje
Greene, Stutsman	McGillic	Whelan
Gronvold	Miklethun	Wog
Handley	Mutchler	Young

Those voting in the negative were:

Messrs.
Watt

Absent and not voting:

Messrs.	Messrs.	Messrs.
Cain	Fine	Fredrickson

So the bill passed and the title was agreed to.

Senator McDonald moved that the vote by which Senate Bill No. 158 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate adopted the report of the Conference Committee on Senate Bill No. 13, and has concurred in the House amendments to Senate Bill No. 158.

Very respectfully,

F. E. TUNELL,
Secretary.

REPORT OF SELECT COMMITTEES

Senator Etestad moved that the Conference Committee report on Senate Bill No. 161 be withdrawn, the Committee discharged and a new Committee appointed.

Which motion prevailed.

The President announced the appointment of Senators Peterson, Lind and Nelson of Barnes, as the Senate Conference Committee on Senate Bill No. 161.

The Conference Committee on House Bill No. 27 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 27. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and Maggie Bounty as Provided for by Sections 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

Have had the same under consideration and have agreed upon the following amendment:

In line 3 of the engrossed bill, correct the figures to read "\$40,000.00."

For the Senate:

F. T. GRONVOLD,
E. C. STUCKE,
WM. WATT.

For the House:

CARL ANFINSON,
O. C. ANDERSON,
H. BURGUM.

Senator Gronvold moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Fowler requested action be deferred on the Conference Committee Report on House Bill No. 27.

Which request was granted.

Senator Greene of Stutsman asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

SENATE RESOLUTION No. J

Introduced by Senator Greene of Stutsman

WHEREAS, By Act of Congress cattle have been added to the list of basic commodities and thus subjected to adjustment price benefits; and

WHEREAS, The United States Government has acquired title to approximately a million head of North Dakota cattle under the drouth cattle buying program; and

WHEREAS, The producers of said cattle received about 25% of the cost of producing same; and

WHEREAS, Such producers are entitled to cost of production, or a parity price under the Agricultural Adjustment Act; and

WHEREAS, Cattle producers of North Dakota, under the Agricultural Adjustment Act, are entitled to adjustment benefit payments in the amount of about \$40,000,000.00 if they are to receive parity prices for the cattle disposed of; and

WHEREAS, About 90% of said cattle were mortgaged for more than was paid for them; and

WHEREAS, Cattle producers are unable to meet the obligations secured by the cattle so disposed of and unless the producers receive just compensation for their cattle, it is going to work a hardship on Banks, Credit Companies and other mortgage holders in this and other states largely supported with Government money; and

WHEREAS, We are informed that the Agricultural Adjustment Administration has not started to work out a program which will regulate cattle production;

THEREFORE BE IT RESOLVED: That we urge upon the Agricultural Adjustment Administration to work out a cattle program as soon as possible and provide for adjustment benefits to the end that parity prices may be obtained for cattle, and the producers of cattle enabled to re-establish their almost depleted estates;

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the Secretary of Agriculture at Washington, D. C., and to our Senators and Congressmen in Washington urging them to do all in their power to help get an equitable cattle program started.

Senator Greene of Stutsman moved that the resolution be adopted.

Which motion prevailed, and the report was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the President has appointed as a new Conference Committee,

on Senate Bill No. 161, Senators Peterson, Lind and Nelson of Barnes, and has adopted the report of the Conference Committee on House Bill No. 27.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 13.

Also, the Speaker has appointed as a new Conference Committee to act with a like committee from the Senate, on Senate Bill 88, Representatives Parkinson, Hewitt and Shurr.

Also, the Speaker has appointed as a new Conference Committee on Senate Bill No. 156, Representatives Parkinson, Hewitt and Shurr.

Also the Speaker has appointed as a new Conference Committee on House Bill No. 42, Representatives Schnell, Dullea and Norheim.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

SENATE CONCURRENT RESOLUTION "A-k"

Senator Lynn moved that action be deferred on Senate Concurrent Resolution "A-k" until Senator Erickson returns to the Senate Chamber.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 327. A Bill for an Act Providing for the Disposition of One Million Dollars from the State Hail Insurance Permanent Surplus Fund; Declaring That the Said Permanent Surplus Fund Exceeds the Amount Needed to Carry Out the Purpose for Which Said Fund was Created by the Sum of One Million Dollars; Providing the Manner

and Means of Disposing and Disbursing Said Surplus, and Declaring an Emergency in Connection Therewith.

Which the House has indefinitely postponed.

Also transmit:

HOUSE CONCURRENT RESOLUTION "A-20"

Also,

HOUSE CONCURRENT RESOLUTION "A-21"

Also,

HOUSE CONCURRENT RESOLUTION "A-22"

Which the House has adopted and your favorable consideration is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,

March 8, 1935.

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 260.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Watt moved that the request of the House be granted and that Senate Bill No. 260 be returned.

Which motion prevailed.

The President announced the appointment of Senators Thatcher, Kolpin and Stucke as the Senate Conference Committee on House Bill No. 42.

Also,

Senators Etestad, Handley and McGillic as the Senate Conference Committee on House Bill No. 48.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,

March 8, 1935.

Mr. Speaker: I have the honor to inform you that the President has appointed as a Conference Committee on House Bill No. 48, Senators Etestad, Handley and McGillic.

And on House Bill No. 42, Senators Thatcher, Kolpin and Stucke.

Very respectfully,

F. E. TUNELL,
Secretary.
Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return Senate Bill No. 260, which the House has requested.

Very respectfully,

F. E. TUNELL,
Secretary.
Senate Chamber.
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the President has appointed as a new Conference Committee, on House Bill No. 107, Senators Bonzer, Lind and Trovatten.

Very respectfully,

F. E. TUNELL,
Secretary.

FIRST READING OF HOUSE BILLS

Senator McDonald moved that House Concurrent Resolution "A-20" be adopted.

Senator Lynn moved as a substitute motion that the conclusions of the Investigation Committee in connection with House Concurrent Resolution "A-20" be read.

Which motion prevailed.

ROLL CALL

The question being on the adoption of House Concurrent Resolution "A-21", the roll was called and there were ayes, 16; nays, 23; absent and not voting, 10.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Lemke	Peterson
Braaten	Lind	Stucke
Brostuen	Marshall	Thorson
Greene, Cavalier	McDonald	Vinje
Kamrath	Owings	Whelan
Kroeber		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Johnson	Nelson, Grand Fks.
Coffey	Jones	Strehlow

Messrs.	Messrs.	Messrs.
Crandall	Kolpin	Topp
Drew	Lowe	Trovatten
Dubay	Lynn	Watt
Eastgate	Matthaei	Wog
Fowler	Mutchler	Young
Gronvold	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Greene, Stutsman	Miklethun
Ettestad	Handley	Thatcher
Fine	McGillic	Trout
Fredrickson		

So the resolution was lost.

Senator Johnson: "If the House of Representatives had the power to authorize this investigation, surely it would have the power to pay the expenses. I believe it should be authorized by a House resolution and for that reason I vote 'no'."

HOUSE CONCURRENT RESOLUTION A-21

Senator Whelan moved that the resolution be adopted by roll call.

Which motion prevailed.

ROLL CALL

The question being on the adoption of House Concurrent Resolution A-21, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Jones	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Strehlow
Crandall	Lemke	Stucke
Drew	Lowe	Thorson
Dubay	Lynn	Topp
Eastgate	Marshall	Vinje
Fowler	Matthaei	Watt
Greene, Cavalier	McDonald	Whelan
Gronvold	Mutchler	Wog
Johnson	Nelson, Barnes	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	Miklethun
Erickson	Handley	Thatcher
Ettestad	Lind	Trout
Fine	McGillic	Trovatten
Fredrickson		

So the resolution was adopted.

Senator Whelan asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Whelan moved that the House be requested to return House Bills Nos. 181 and 122.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate requests the return of House Bill No. 122 and House Bill No. 181 to the Senate.

Very respectfully,

F. E. TUNELL,
Secretary.

HOUSE CONCURRENT RESOLUTION A-22

Senator McDonald moved that the resolution be adopted.

Which motion prevailed and the resolution was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return herewith the following:

HOUSE CONCURRENT RESOLUTION "A-21"

Also,

HOUSE CONCURRENT RESOLUTION "A-22"

Which the Senate has adopted and your favorable consideration is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the Speaker has appointed as a new Conference Committee to act with a like committee from the Senate, on House Bill No. 37, Representatives Beggs, Brunsdale and Lavik.

The Speaker has also appointed as a Conference Committee on Senate Bill No. 1, Representatives Dahl of Emmons, Hurd, and Cunningham.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Dubay asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Dubay moved that the vote by which Senate Bill No. 18 was passed be reconsidered for correction.

Which motion prevailed.

Senator Cain moved that Senate Bill No. 18 be returned to the House for correction.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

Senator McDonald moved for a call of the Senate.

A call of the Senate was granted.

The roll was called and all Senators were present except Senators Trout, Lowe and Jones.

Senator Cain moved that Senators Trout and Whelan be excused from the call of the Senate.

The Sergeant-at-Arms was instructed to bring the absent Senators into the Senate Chamber.

Senator McDonald moved that the call of the Senate be dispensed with.

Which motion prevailed.

Senator Fine moved that House Bill No. 165 be amended as follows:

On page 11, Section 11, line 14, after the word "classification," strike out the balance of line 14 and all of lines 15, 16, 17, 18, 19 and 20 and insert in lieu thereof the following:

"Provided further, that the insurance upon that portion of the valuation above the net retention carried by the State Fund, shall by the commissioner be placed with reliable Mutual or Old Line Insurance Companies authorized to do business in this State.

Which motion prevailed.

Senator Fine moved that the rules be suspended and that House Bill No. 165, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 165. A Bill for an Act to Amend and Re-enact Sections 189c1, 189c2, 189c3, 189c5, 189c6, 189c7, 189c8, 189c9, 189c13, 189c14 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapters 173 and 174 of the 1929 Session Laws and Chapters 162, 163, and 164 of the 1931 Session Laws, and Chapter 135 of the 1933 Session Laws, and Sections 189c4 and 189c11 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Fire and Tornado Insurance on Public Buildings and Fixing Rates of Premiums to Be Charged, and Providing for Deposit on Investments of State Fire and Tornado Fund; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 39; nays, 8; absent and not voting, 2.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	McGillic
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Grand Fks.
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Stucke
Eastgate	Lind	Topp
Erickson	Lowe	Trovatten
Ettestad	Lynn	Vinje
Fowler	Marshall	Watt
Greene, Cavalier	Matthaei	Wog
Greene, Stutsman	McDonald	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Crandall	Jones	Thatcher
Fine	Miklethun	Thorson
Fredrickson	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.
Trout	Whelan

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Mutchler moved that the vote by which House Bill No. 165 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

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Senator Fine: "While this amendment, I think, helps the Bill some, yet some provisions in it seem to me to be inimical to the best interests of the department. Therefore, I vote No."

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bill:

House Bill No. 165. A Bill for an Act to Amend and Re-enact Sections 189c1, 189c2, 189c3, 189c5, 189c6, 189c7, 189c8, 189c9, 189c13, 189c14 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapters 173 and 174 of the 1929 Session Laws and Chapters 162, 163, and 164 of the 1931 Session Laws, and Chapter 135 of the 1933 Session Laws, and Sections 189c4 and 189c11 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Fire and Tornado Insurance on Public Buildings and Fixing Rates of Premiums to Be Charged, and Providing for Deposit on Investments of State Fire and Tornado Fund; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Which the Senate has amended.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 42.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following bills:

SENATE CONCURRENT RESOLUTION A-1

Also,

SENATE CONCURRENT RESOLUTION A-m

Also,

SENATE CONCURRENT RESOLUTION A-o

Which the House has adopted.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return herewith Senate Bill No. 18.

The Senate requests that the House make such corrections in the Bill as are necessary and that the House re-pass the Bill and return the same to the Senate.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 42, and has adopted the report of the Conference Committee on House Bill No. 107.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Watt moved that further consideration of House Bill No. 185 be indefinitely postponed.

Which motion prevailed.

Senator Watt moved that the vote by which House Bill No. 185 was indefinitely postponed, be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 185. A Bill for an Act Requiring the Commissioner of Insurance to Deposit All Receipts of the Department With the State Treasurer, and Providing for the Establishment of an Insurance Department Operating Account, and Requiring All Expenses of the Insurance Department to Be Paid Out of Such Insurance Department Operating Account. Repeal.

Which the Senate has indefinitely postponed.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Whelan asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Fowler moved that the vote by which the Senate concurred in the House amendments to Senate Bill No. 74 be reconsidered.

Which motion prevailed.

Senator Fowler moved that the Senate do not concur in the House amendments to Senate Bill No. 74 and a Conference Committee be appointed.

Which motion prevailed.

The President announced the appointment of Senators Whelan, Watt and Fowler as the Senate Conference Committee on Senate Bill No. 74.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 74 and the President has appointed as a Conference Committee, Senators Whelan, Watt and Fowler.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Cain moved that the Senate recess until 7:30 P. M.

Which motion prevailed.

The Senate stood recessed.

The Senate convened pursuant to recess taken. President pro tem. Marshall presiding.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

House Bill No. 93. A Bill for an Act to Amend and Re-enact Section 6756 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Form of Chattel Mortgages.

Also,

Senate Bill No. 175. A Bill for an Act Providing for a System of Municipal Control of the Purchase, Sale, Importation, Transportation, Handling, Possessing, Dispensing and Use of Alcohol and Alcoholic Beverages by Any Incorporated City of the State Having a Population of Two Hundred or More; the Levy and Collection of a Tax Thereon; the Duties of the State Treasurer; Providing for Injunctions Against and Abatement of Liquor Nuisances; the Continuing in Force of the Present Statutory Regulations Prohibiting the Manufacture, Sale and Possession of Intoxicating Liquors; Providing Penalties for Violations of the Provisions of This Act; and Declaring an Emergency.

Also,

Senate Bill No. 306. A Bill for an Act Authorizing the Governor to Enter Into Agreements with the President of the United States Under an Act of Congress Entitled "An Act for the Relief of Unemployed Through the Performance of Useful Public Work, and for Other Purposes," Approved March 31, 1933, and Other Acts Supplemental Thereto; Authorizing the Governor to Enter Into Agreements With Private Land Owners, Declaring the Rights and Duties of the Conservation Commission and of Such Land Owner Thereunder and Providing Procedure for Giving Notice to Mortgagees and Lien Holders Against Lands Affected, and Declaring an Emergency.

Also,

Senate Bill No. 212. A Bill for an Act Validating, Rati-fying, Approving and Confirming Bonds, Warrants and Other Instruments or Obligations Heretofore Issued by Public Bodies of This State for the Purpose of Financing in Whole or in Part Public Works Projects, and Validating All Proceedings Heretofore Taken for the Incorporation of Any Public Body as Defined in the Act, and Declaring an Emergency.

Also,

Senate Bill No. 226. A Bill for an Act to Amend and Re-enact Sections 8320a13, 8320a14, 8320a19, 8320a20 and 8320a22 of the Supplement to the Compiled Laws of 1913, Relating to Flood Irrigation Projects, and Declaring an Emergency.

Also,

Senate Bill No. 57. A Bill for an Act to Amend and Re-enact Section 486 of the Compiled Laws of North Dakota of 1913, as Amended and Re-enacted by Section 2 of Chapter 2 of Chapter 211 of the Session Laws of 1927, and as Further

Amended and Re-enacted by Chapter 185 of Session Laws of 1929 and Section 2 of Chapter 211, Session Laws of 1927.

Also,

Senate Bill No. 98. A Bill for an Act to Amend and Re-enact Subsection (3) of Section 1, Chapter 196, Session Laws of North Dakota for the Year 1927, and Declaring an Emergency.

Also,

Senate Bill No. 192. A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; Providing for the Printing of All Matters Coming Under Class 5 of State Printing; Providing for Each State Department or Office to Designate Newspaper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost Thereof and Repeal all Acts and Parts of Acts in Conflict Herewith.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return herewith House Bill No. 93, which the President has signed.

Also transmit:

Senate Bills Nos. 175, 306, 212, 226, 57, 98, 192.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

SECOND READING OF HOUSE BILLS

House Bill No. 255. A Bill for an Act to Re-establish the State Equalization Fund for the Common Schools of the State; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of That Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; Repealing All Acts in Conflict Herewith.

Senator Greene of Stutsman moved to amend House Bill No. 255 as follows:

On page 3, of the printed bill, sub-section "d," "Administration," following the period after the word "General," add the following language:

"Provided that the State Treasurer, State Auditor and Attorney General shall constitute an advisory committee to work in conjunction with the State Superintendent of Public Instruction in the administration of that portion of the fund designated for distribution on basis of need, and there shall be set aside from such portion of the fund a sum not to exceed twenty-five hundred dollars (\$2,500.00) per year for use in the necessary expenses incurred in the administration thereof."

Which motion prevailed.

Senator Greene of Stutsman moved that House Bill No. 255 be amended as follows:

In line 22, page 2 of the printed Bill, after the word "monthly," add the words "or quarterly."

Which motion prevailed.

Senator Greene of Stutsman moved that the committee report on House Bill No. 255 be amended as follows:

In the paragraph beginning with the words "on page 5" immediately following the word "administration," add the words "not in excess of \$40,000."

Which motion prevailed.

Senator Fine moved that the committee report on House Bill No. 255 be amended as follows:

At the end of the printed bill, insert Section 11 reading as follows: "This act is hereby declared to be an emergency and shall be in full force and effect from and after its passage and approval."

Which motion prevailed.

Senator Fine moved that the committee report on House Bill No. 255 be amended as follows:

In the title of the Bill, strike out the period, insert a comma and the words "and Declaring an Emergency."

Which motion prevailed.

Senator Whelan moved to amend the report of the Committee on Education on House Bill No. 255, by striking out that portion of the report which reads as follows:

"In line 46, page 3, of the printed bill, following the word "General," add the following: "Provided, that the State Treasurer, State Auditor and Attorney General shall constitute an advisory committee to work in conjunction with the State Superintendent of Public Instruction in the administration of the emergency fund."

And inserting in lieu thereof the following:

And immediately following line 46 of the printed bill, insert a new paragraph "g" which reads as follows:

"(g) The Governor, Attorney General and Superintendent of Public Instruction shall constitute the Board which is hereby authorized, directed and empowered to carry out and perform the provisions of Section 2 of this Act. And there shall be set aside from such portion of the fund a sum not to exceed twenty-five hundred dollars (\$2,500.00) per year for use in the necessary expenses of said Board incurred in the administration thereof."

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 195.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Miklethun moved that the Senate grant the request of the House and return Senate Bill No. 195.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota.
March 8, 1935

Mr. Speaker: I have the honor to return Senate Bill No. 195 which was requested by the House.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Fowler moved that the rules be suspended and that House Bill No. 255, as amended, be placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 255. A Bill for an Act to Re-establish the State Equalization Fund for the Common Schools of the State; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of That Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-unit Basis; and to Provide Methods for the Ascertainment and Payment

of the Sums Payable to School Districts; Repealing All Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Johnson	Nelson, Barnes
Braaten	Jones	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Cain	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Low	Topp
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Coffey	Handley	Trout
Erickson	Lynn	Trovatten
Fredrickson	Peterson	

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Fine moved that the vote by which House Bill No. 255 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return herewith the following bill:

House Bill No. 255. A Bill for an Act to Re-establish the State Equalization Fund for the Common Schools of the State; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of That Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-unit Basis; and to Provide Methods for the Ascertainment and Payment

of the Sums Payable to School Districts; Repealing All Acts in Conflict Herewith.

Which the Senate has amended.

Very respectfully,

F. E. TUNELL,
Secretary.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 42 made the following report:

Mr. President: Your Conference Committee on House Bill No. 42 made the following report:

Mr. President: Your Conference Committee on amendment to whom was referred:

House Bill No. 42. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Have had the same under consideration and recommend the following amendments:

In line 18 of Section 1 of the engrossed bill, strike out the figures \$268,600.00 and insert in lieu thereof the figures \$193,600.00.

For the Senate:

WM. A. THATCHER,
E. C. STUCKE,
G. W. KOLPIN.

For the House:

RAY SCHNELL,
E. J. DULLEA,
L. O. NORHEIM.

Mr. Thatcher moved that the report be adopted, and the committee discharged, which motion prevailed and the report was adopted.

Senator Thatcher moved that the rules be suspended and that House Bill No. 42, as amended, be placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 42. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Was read the second time.

ROLL CALL

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.
Bonzer	Handley	Mutchler
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Nelson, Grand Fks.
Cain	Kamrath	Owings
Coffey	Kolpin	Strehlow
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Lynn	Trout
Fredrickson	Peterson	Trovatten

So the bill passed and the title was agreed to.

Senator Thatcher moved that the vote by which House Bill No. 42 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 161.

Also, House Bill No. 48.

Also, House Bill No. 107.

Also, the House has refused to adopt the report of the Conference Committee on Senate Bill No. 88 and the Speaker has appointed as a new Conference Committee to act with a like Committee from the Senate, Representatives Twichell, Place and Anderson of Bowman.

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The Speaker has also appointed as a new Committee on Senate Bill No. 156, Representatives Twichell, Place and Anderson of Bowman.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 48.

Very respectfully,

F. E. TUNELL,
Secretary.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 107 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 140, Session Laws of 1913, Defining Usury.

Have had the same under consideration and recommend the following amendment:

In Section 1, line 10, of the engrossed Bill, after the word "than," strike out the word "six," and insert in lieu thereof the word "seven."

For the Senate:

A. F. BONZER, JR.,
ALEX LIND,
A. A. TROVATTEN.

For the House:

W. W. TREFFRY,
A. J. KAPAUN,
CARL G. KEIDEL.

Senator Miklethun moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Miklethun moved that the rules be suspended and that House Bill No. 107, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 140, Session Laws of 1933, Defining Usury.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, 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.
Bonzer	Johnson	Mutchler
Braaten	Jones	Nelson, Barnes
Brostuen	Kamrath	Nelson, Grand Fks.
Cain	Kolpin	Owings
Crandall	Kroeber	Peterson
Drew	Lemke	Strehlow
Dubay	Lind	Stucke
Eastgate	Lowe	Thatcher
Ettestad	Lynn	Thorson
Fine	Marshall	Topp
Fowler	Matthaei	Vinje
Greene, Cavalier	McDonald	Watt
Greene, Stutsman	McGillic	Wog
Gronvold	Miklethun	Young

Those voting in the negative were:

Messrs.
Coffey

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Handley	Trovatten
Fredrickson	Trout	Whelan

So the bill passed and the title was agreed to.

Senator Strehlow moved that the vote by which House Bill No. 107 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fine: "In view of the present condition, I have consistently contended for a lower contract rate of interest than is now in this Bill, but inasmuch as this is the best we can do, I vote aye."

Senator Fowler moved that the Conference Committee report on Senate Bill No. 313 be placed before the Senate.

Which motion prevailed.

Senator Fowler moved that the Senate do not concur in the House amendments to Senate Bill No. 313 and that a Conference Committee be appointed.

Which motion prevailed.

The President announced the appointment of Senators Fowler, Brostuen and Lowe as the Senate Conference Committee on Senate Bill No. 313.

Senator Bonzer asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Bonzer moved that the vote by which House Bill No. 164 was lost be reconsidered.

Which motion prevailed.

Senator Bonzer moved that the rules be suspended and that House Bill No. 164, as amended, be placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 164. A Bill for an Act Creating Official Board to Be Known as "North Dakota Poultry Improvement Board" for the Purpose of Improving Poultry Breeding, Control and Eradication of Communicable Poultry Diseases, Authorizing Board to Formulate Plans, to Prescribe, Adopt and Enforce Rules and Regulations for Inspection, Testing and Certifying Poultry Hatcheries and Poultry Breeding Flocks for Breed Improvement in Accordance With Federal Regulations, Authorizing State Livestock Sanitary Board to Prescribe, Adopt and Enforce Rules and Regulations Testing, Approving, and Passing, as Free From Certain Diseases, Poultry Breeding Flocks, Prescribing License Fees and Fees for Service, Providing for Funds to Administer and Enforce This Act, and Fixing Penalties for Violations.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, the roll was called and there were ayes, 31; nays, 13; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kamrath	Miklethun
Braaten	Kolpin	Mutchler
Brostuen	Kroeber	Nelson, Barnes
Cain	Lemke	Owings
Dubay	Lind	Peterson
Eastgate	Lynn	Stucke
Fine	Marshall	Thatcher
Fowler	Matthaei	Vinje
Greene, Cavalier	McDonald	Wog
Greene, Stutsman	McGillic	Young
Johnson		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Coffey	Jones	Thorson
Crandall	Lowe	Topp
Drew	Nelson, Grand Fks.	Watt
Ettestad	Strehlow	Whelan
Gronvold		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Handley	Trovatten
Fredrickson	Trout	

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Bonzer moved that the vote by which House Bill No. 164 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 198.

Also, Senate Bill No. 280.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Miklethun moved that the request of the House be granted and Senate Bills Nos. 198 and 280 be returned.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return Senate Bill No. 280.

Also,

Senate Bill No. 198.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Bonzer moved that the Message from the House returning Senate Bill No. 313 be returned for correction of the message.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 313 and the President has appointed as a Conference Committee, Senators Fowler, Brostuen and Lowe.

Very respectfully,

F. E. TUNELL,
Secretary.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 48 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 48. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes Assessed and Levied for the Year 1934, and All Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partial Cancellation of the Original Amount of Such Taxes.

Have had the same under consideration and beg leave to report that the Senate has receded from its amendments and the House and Senate Committee have agreed to amend the original bill by striking out the figures "80" in next to the bottom line of the first page of the engrossed bill and inserting in lieu thereof the figures "100."

For the Senate:

OLE ETTESTAD,
W. S. HANDLEY,
J. T. MCGILLIC.

For the House:

O. F. ANDERSON,
L. L. TWICHELL,
M. L. HOLEY.

Senator Ettestad moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Ettestad moved that the rules be suspended and that House Bill No. 48, as amended, be placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 48. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes Assessed and Levied for the Year 1933, and All Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partial Cancellation of the Original Amount of Such Taxes.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 21; nays, 22; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kroeber	Nelson, Grand Fks.
Cain	Lemke	Owings
Dubay	Marshall	Peterson
Ettestad	Matthaei	Strehlow
Fine	McDonald	Stucke
Handley	McGillic	Thorson
Kamrath	Miklethun	Vinje

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Gronvold	Nelson, Barnes
Brostuen	Johnson	Thatcher
Coffey	Jones	Topp
Crandall	Kolpin	Watt
Drew	Lowe	Whelan
Eastgate	Lynn	Wog
Greene, Cavalier	Mutchler	Young
Greene, Stutsman		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Erickson	Fredrickson	Trout
Fowler	Lind	Trovatten

So the bill was lost.

Senator Mutchler moved that the vote by which House Bill No. 48 was lost be reconsidered and the motion to reconsider be laid on the table.

Senator Ettestad moved as a substitute motion that the vote by which House Bill No. 48 was lost, be reconsidered.

Which motion prevailed.

Senator Fine moved that House Bill No. 48, as amended, be placed upon final passage.

Which motion prevailed.

Senator Cain moved that the question be divided on House Bill No. 48.

Which motion prevailed.

House Bill No. 48. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes Assessed and Levied for the Year 1934, and All Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partial Cancellation of the Original Amount of Such Taxes.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by the Conference Committee, the roll was called and there were ayes, 35; nays, 9; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Nelson, Barnes
Braaten	Jones	Nelson, Grand Fks.
Cain	Kamrath	Owings
Dubay	Kroeber	Stucke
Eastgate	Lemke	Thatcher
Ettestad	Lind	Thorson
Fine	Lowe	Topp
Fowler	Marshall	Vinje
Greene, Cavalier	Matthaei	Watt
Greene, Stutsman	McDonald	Whelan
Gronvold	McGillic	Young
Handley	Mikieithun	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Drew	Mutchler
Coffey	Kolpin	Strehlow
Crandall	Lynn	Wog

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Peterson	Trovatten
Fredrickson	Trout	

So the bill passed and the title was agreed to.

Senator Ettestad moved that the vote by which House Bill No. 48 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

ROLL CALL

The question being on the emergency clause to House Bill No. 48, 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.
Braaten	Kamrath	Nelson, Grand Fks.
Cain	Kolpin	Owings
Dubay	Kroeber	Strehlow
Eastgate	Lemke	Stucke
Ettestad	Lind	Thatcher
Fine	Lowe	Thorson
Fowler	Lynn	Topp
Greene, Cavalier	Marshall	Vinje
Greene, Stutsman	Matthaei	Watt
Gronvold	McDonald	Whelan
Handley	McGillic	Wog
Johnson	Miklethun	Young
Jones	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Coffey	Drew	Mutchler
Crandall		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fredrickson	Trout
Brostuen	Peterson	Trovatten
Erickson		

So the emergency clause was declared carried.

Senator Cain moved that the vote by which House Bill No. 48 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 48, and the emergency clause carried.

Also adopted the report on Senate Bill No. 161.

Very respectfully,

F. E. TUNELL,
Secretary.

REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 161 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 161. A Bill for an Act Providing for the Regulation of Dealers in Livestock, and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Records Required of Dealer; Feeding, Watering and Weighing; Acts of Deceit, Fraud or Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act, and, Repealing all of Chapter 7 of the Session Laws of the State of North Dakota for the Year 1933; and Repealing all Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Have had the same under consideration and recommend that the Senate do concur in the House amendments.

For the Senate:

HARRY PETERSON,
A. C. NELSON,
ALEX LIND.

For the House:

H. R. SOLBERG,
THOS. BURKE,
HARVEY BRUSSEAU.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Fine moved that the rules be suspended and Senate Bill No. 161, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 161. A Bill for an Act Providing for the Regulation of Dealers in Livestock, and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Records Required of Dealer; Feeding, Watering and Weighing; Acts of Deceit, Fraud or Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act, and, Repealing all of Chapter 7 of the Session Laws of the State of North Dakota for the Year 1933; and Repealing all Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 24; nays, 18; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Dubay	Kamrath	Nelson, Grand Fks.
Ettestad	Kolpin	Owings
Fine	Lind	Thatcher
Fowler	Marshall	Vinje
Greene, Cavalier	Matthaci	Watt
Greene, Stutsman	McDonald	Whelan
Handley	Miklethun	Wog
Johnson	Nelson, Barnes	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Gronvold	McGillic
Cain	Jones	Mutchler
Coffey	Kroeber	Strehlow
Crandall	Lemke	Stucke
Drew	Lowe	Thorson
Eastgate	Lynn	Topp

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fredrickson	Trout
Brostuen	Peterson	Trovatten
Erickson		

So the bill was lost.

Senator Eastgate moved that the vote by which Senate Bill No. 161 was lost be reconsidered and the motion to reconsider be laid on the table.

Senator Cain moved that the vote by which Senate Bill No. 161 was lost be reconsidered.

Which motion prevailed.

Senator Cain moved that Senate Bill No. 161 be placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 161. A Bill for an Act Providing for the Regulation of Dealers in Livestock, and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Records Required of Dealer; Feeding, Watering and Weighing; Acts of Deceit, Fraud and Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act, and, Repealing all of Chapter 7 of the Session Laws of the State of North Dakota for the Year 1933; and Repealing all Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 32; nays, 10; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kroeber	Nelson, Grand Fks.
Cain	Lemke	Owings
Dubay	Lind	Strehlow
Ettestad	Lynn	Stucke
Fine	Marshall	Thorson
Fowler	Matthaei	Topp
Greene, Cavalier	McDonald	Vinje
Greene, Stutsman	McGillic	Watt
Handley	Miklethun	Wog
Johnson	Mutchler	Young
Kolpin	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Eastgate	Kamrath
Coffey	Gronvold	Lowe
Crandall	Jones	Thatcher
Drew		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brostuen	Peterson	Trovatten
Erickson	Trout	Whelan
Fredrickson		

So the bill passed and the title was agreed to.

Senator Bonzer moved that the vote by which Senate Bill No. 161 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 195. A Bill for an Act to Amend and Re-enact Sections 3, 5, 7, 8, and 11 of the Initiated Measure Entitled "An Act Providing for the Manufacture and Sale, Within the State, of Beer, as Defined by the Congress of the United States, Making Regulations Under Which the Same May Be Done, Providing a Revenue Therefrom, and

Repealing Senate Bill No. 263, Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Other Acts or Parts of Acts in Conflict With the Provisions of This Act," Approved by the People of the State of North Dakota at the Special Election Held on the 22nd Day of September, 1933, Relating to the Manufacture and Sale of Beer, and Declaring an Emergency.

Which the House has amended.

Also return:

SENATE CONCURRENT RESOLUTION A-f

Also,

SENATE CONCURRENT RESOLUTION A-g

Which the House has adopted unchanged.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith Senate Bills Nos. 175, 306, 212, 226, 57, 98, 192.

Which the Speaker has signed.

Also inform you that the Speaker has appointed as a Conference Committee on Senate Bill No. 313, Representatives Child, Traynor and Scholl.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following bills:

House Bill No. 122. A Bill for an Act to Provide for Pensions for the Blind, Creating a Pension Fund Therefor, Providing for the Levy of Annual Tax, Prescribing Persons to Be Pensioned.

Also,

House Bill No. 181. A Bill for an Act to Amend and Re-enact Chapter 254 of the Session Laws of 1933, Relating to the Old Age Pensions, Creating an Old Age Pension Fund, Providing for the Levy of An Annual Tax Therefor, Pre-

scribing Persons to Be Pensioned Thereunder, and Penalties for the Violation Thereof.

Which the Senate has requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 260. A Bill for an Act Creating a State Highway Patrol for the State of North Dakota; Authorizing the Attorney General to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Amending Chapter 102 of the Session Laws of North Dakota for the Year 1933 Relating to Bureau of Criminal Identification; Fixing Compensation and Providing for Disposition of Fines Collected; and Declaring an Emergency.

Also,

Senate Bill No. 150. A Bill for an Act Empowering the State Historical Society to Acquire Lands for State Parks, State Monuments, and State Recreation Reserves, to Supervise, Control and Maintain Such State Parks, State Monuments, and State Recreation Reserves, Providing for the Appointment of a State Parks Committee, and Making an Appropriation Therefor.

Also,

Senate Bill No. 225. A Bill for an Act to Provide for the Incorporation of Cooperative Grazing Associations to Aid in the Conservation, Restoration, Improvement, Development and Utilization of Forage Resources in the State of North Dakota; to Authorize Such Associations to Lease County, State, Federal, or Other Lands for Such Purposes, and to Create Grazing Districts, and to Provide for the Management and Use of Such Lands Which Will Best Conserve, Restore, Improve and Develop the Forage Value Thereof.

Also,

Senate Bill No. 264. A Bill for an Act Relating to Licensing of Motor Vehicle Operators and Chauffeurs and to the Liability of Certain Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fee to be Paid; Providing for Examination of Applicant; Providing for Suspension or Revocation of License; Making Disposition of Fees Collected; Providing for Penalty for Violating Act; Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Which the House has amended.

Also return:

Senate Bill No. 322. A Bill for an Act to Impose a Tax of One Cent Upon the Sale of All Gasoline; Providing for the Collection Thereof and for the Disposition of the Revenue Therefrom; Fixing Penalties for Violation, and Declaring an Emergency.

Which the House has indefinitely postponed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

CONSIDERATION OF MESSAGES FROM THE HOUSE

Senator Bonzer moved that the vote by which House Bill No. 181 was passed be reconsidered.

Which motion prevailed.

Senator Bonzer moved that further consideration of House Bill No. 181 be indefinitely postponed.

Which motion prevailed.

Senator Matthaei moved that the vote by which House Bill No. 122 was passed be reconsidered.

Which motion prevailed.

Senator Matthaei moved that further consideration of House Bill No. 122 be indefinitely postponed.

Which motion prevailed.

Senator Whelan asked unanimous consent to return to the Fifth Order of Business.

Which request was granted.

REPORT OF 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. 123. A Bill for an Act Providing for the Procuring of Coal Mine Licenses from the State Coal Mine Inspector, the Establishment of the State Coal Mining Safety Fund from Such Fees and for the Disbursement Thereof, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and Reporting Thereof to the State Coal Mine Inspector and Commissioner of Agriculture and Labor, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court from Such Order of Revocation, Providing a Penalty for Failure to Comply with the Law, Repealing Sections 3081, 3082, 3083 and 3084 of the Compiled Laws of

the State of North Dakota for the Year 1913 and all Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 158. A Bill for an Act to Require Free Correspondence Courses to Be Provided for all North Dakota Children of High School Age.

Also,

Senate Bill No. 294. A Bill for an Act to Amend and Re-enact Section 2346a11 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 253 of the 1933 Session Laws; Section 2346a20 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 4 of Chapter 253 of the 1933 Session Laws; Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Sub-section 4 of Section 4 of Chapter 283 of the 1931 Session Laws, Relating to the Taxation of Income of Individuals, Fiduciaries and Corporations; Repealing That Portion of Section 2346a46 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Paragraph (b) of Sub-section 4 of Section 6 of Chapter 283 of the 1931 Session Laws and Repealing Sub-section 7 of Section 4 of Chapter 283 of the 1931 Session Laws, and Repealing Sub-section 7 of Section 2346a30 of the 1925 Supplement to the Compiled Laws, and All Other Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 304. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing Senate Bill No. 263 Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Acts or Parts of Acts in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof;" and Declaring an Emergency.

Also,

Senate Bill No. 269. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by "Company G" 1st Regiment North Dakota National Guard Training School, a Corporation, as Mortgagor, to the State of North Dakota, Dated January 25th, 1909, Filed for Record in the Office of the Register of Deeds of Barnes County, North Dakota, on April 9th, 1909, at Two O'Clock, P. M. and Recorded in Book 43 of Mortgages on Page 3, and Covering Lot Sixteen (16) and the North Half (N½) of Lot Seventeen (17) in Block Seventeen (17) of the Original Plat of Valley City, North Dakota.

Also,

Senate Bill No. 311. A Bill for an Act to Authorize Building and Loan Associations to Insure Members' Investments in Federal Savings and Loan Insurance Corporation and to Provide for the Conversion of Building and Loan Associations and Other Home Financing Organizations Into Federal Savings and Loan Associations, Prescribing the Procedure Therefor, Defining the Results Thereof, and Providing for the Indebtedness of Such Associations, and Declaring an Emergency.

Also,

Senate Bill No. 289. A Bill for an Act to Amend and Re-enact Section 11100 of the Compiled Laws of the State of North Dakota Relating to Quorum and Majority Vote of Board Required to Grant Pardon, Providing for the Time of Meetings.

Also,

Senate Bill No. 164. A Bill for an Act to Amend and Re-enact Section 4 (a) of Chapter 166 of the Session Laws of North Dakota for the Year 1929, and to Amend and Re-enact Section 6 of Chapter 189 of the Session Laws of North Dakota for the Year 1931, Being 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; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; 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 find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to transmit herewith the following:

HOUSE CONCURRENT RESOLUTION A-22

Also,

House Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota; Imposing Certain Duties on the Board of Administration in Relation Thereto When Funds May Be Obtained from the Federal Government for the Above Purposes; and Declaring an Emergency.

Also,

House Bill No. 38. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions, and Declaring an Emergency.

Also,

House Bill No. 112. A Bill for an Act Regulating the Purchase, Use, Administering and Handling of Hog Cholera Virus, and Providing Penalties Therefor.

Also,

House Bill No. 196. A Bill for an Act Providing for the Creation and Establishment of a Labor Division Within the Department of Agriculture and Labor, and Providing for the Qualification and Making Provision for the Appointment of a Deputy Within the Department of Agriculture and Labor, to Represent Labor.

Also,

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 6548a11 and 6548a12 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Exchange of Reciprocal or Inter-Insurance Contract; Providing for Appointment of Resident Agents; License Fees and Tax; Publication of Abstract of Annual Statement; Providing for Applicability of General Insurance Laws. Repeal.

Also,

House Bill No. 299. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 206 of the 1933 Session Laws of the State of North Dakota, Providing for the Sale of Personal

Property or Chattels Ordered Sold by Judicial Action; Providing for the Publication of Notice of Sale, Repealing Acts in Conflict Herewith and Declaring an Emergency.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

SECOND READING OF HOUSE BILLS

Senator Whelan moved that House Bill No. 220 be placed at the foot of the calendar.

Which motion prevailed.

House Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1828 of the Compiled Laws of 1913 and Chapter 78 of the Laws of the State of North Dakota for the Year 1915, and Section 1828 of the 1925 Compiled Laws of North Dakota, and Chapter 241 of the Laws of the State of North Dakota for the Year 1933, Relating to the Use of Lignite Coal in State and County Institutions and Schools, and to Provide for the Use of Native Lignite Coal, Native Natural Gas, and Native Oil as Fuel in Such Institutions and Schools, and Providing a Penalty for the Violation of This Act.

Was read the second time.

Senator McDonald demanded a call of the Senate.

A call of the Senate was granted.

The roll was called and all Senators were present except Senators Bonzer, Brostuen, Ettestad, Erickson, Fowler, Fredrickson, Lowe, Trout and Trovatten.

Senator Cain renewed his previous motion to excuse Senators Trout and Whelan.

Which motion prevailed.

The absent Senators were brought into the Senate Chambers.

Senator McDonald moved that the call of the Senate be dispensed with.

Which motion prevailed.

ROLL CALL

The question being on the final passage of the Bill, as amended, the roll was called and there were ayes, 14; nays, 28; absent and not voting, 7.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Lemke	Thatcher
Braaten	Lynn	Thorson
Cain	Marshall	Whelan
Greene, Cavalier	Nelson, Barnes	Wog
Kroeber	Strehlow	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Johnson	Nelson, Grand Fks.
Coffey	Jones	Owings
Crandall	Kamrath	Peterson
Drew	Kolpin	Stucke
Dubay	Lind	Topp
Eastgate	Matthaei	Vinje
Fine	McDonald	Watt
Greene, Stutsman	McGillic	Young
Gronvold	Miklethun	
Handley	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Fredrickson	Trovatten
Ettestad	Lowe	
Fowler	Trout	

So the bill was lost.

Senator Bonzer moved that the vote by which House Bill No. 135 was lost be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Greene of Stutsman: I regret that we cannot develop all of our natural resources; that we cannot develop the gas that we have in the state, but it seems that we have made more progress in science and economics than we are able to handle economically, therefore, I vote "no."

Senator Mutchler: I hold in my hand a telegram from about one thousand voters representing the mines from the North Branch, with the following petition: "This bill should not pass." Therefore, I vote "no."

Senator Peterson: The lignite industry is a very important industry in Mountrail County and many of the people there make their living working in the coal mines and many of them have petitioned me to vote against this bill, and for that reason I vote "no."

Senator Stucke: Ordinarily, in a society where we could make use of all of our inventions and discoveries, where we could make life easier for all of us, I would be in favor of House Bill No. 135 but under the existing circumstances, where the army of unemployed is constantly increasing, I am going to vote "no" on House Bill No. 135.

Senator McDonald moved that House Bill No. 210 be indefinitely postponed.

Which motion prevailed.

Senator McDonald moved that the vote by which House Bill No. 210 was indefinitely postponed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Bonzer moved that House Bill No. 220 be placed at the head of the calendar.

Senator Whelan moved as a substitute motion that House Bill No. 220 be indefinitely postponed.

Senator Whelan withdrew his substitute motion for the purpose of making an amendment.

Senator Johnson moved to amend the amendment of Senator Whelan.

Both motions to amend were lost.

House Bill No. 220. A Bill for an Act to Prohibit Dancing In, On, Or About Places Where the Licensed Sale or Distribution of Wines, Beer or Vinous Liquor is Conducted, and Providing the Penalty for Violation, Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Braaten	Handley	Nelson, Barnes
Coffey	Jones	Owings
Crandall	Kamrath	Peterson
Drew	Kolpin	Strehlow
Dubay	Lemke	Stucke
Eastgate	Lind	Thatcher
Erickson	Lynn	Thorson
Ettestad	Marshall	Topp
Fine	Matthaei	Vinje
Fredrickson	McDonald	Watt
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Johnson	Nelson, Grand Fks.	Whelan
Kroeber		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fowler	Trout
Brostuen	Lowe	Trovatten
Cain		

So the bill passed and the title was agreed to and the emergency clause declared carried.

Senator Whelan 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.

Senator Johnson: I believe this is a matter that should be left up to the local municipalities. For that reason I vote "no."

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return herewith the following bill:

House Bill No. 220. A Bill for an Act to Prohibit Dancing In, On, Or About Places Where the Licensed Sale or Distribution of Wines, Beer or Vinous Liquor is Conducted, and Providing the Penalty for Violation, Declaring an Emergency.

Which the Senate has passed unchanged.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

Senate Bill No. 198. A Bill for an Act Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 280. A Bill for an Act to Provide for the Establishment of County Debt Adjustment Boards, Prescribing the Duties and Powers of Such Boards and the Duties of the Judges and the Clerks of the District Courts as Regards Such Boards.

Also,

Senate Bill No. 29. A Bill for an Act Providing for the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees; and to Repeal All Acts or Parts of Acts in Conflict Herewith, Including Sections 910-916, Inclusive, Compiled Laws 1913 and Chapter 137 of the Session Laws of the Year 1927 and Chapter 123 of the Session Laws of the Year 1929.

Which the House has amended.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Young asked unanimous consent to be on the Seventh Order of Business.

Which consent was granted.

Senator Young moved that the vote by which House Bill No. 130 was indefinitely postponed be reconsidered.

Which motion prevailed.

Senator McGillic offered the following amendments to House Bill No. 130:

In the title of the bill, in second line, after the word "diem," strike out the words "and other incidental expenses."

In line 3 after the word "with," strike out the words: "the Special Session of the Legislature convened" and insert the words "the call of the Governor."

Strike out the balance of the bill and insert in lieu thereof the following:

"Section 1. APPROPRIATION.) There is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, the sum of Five Thousand Dollars (\$5,000.00), or so much thereof as is necessary to pay per diem for one day and mileage at the rate of ten cents per mile and by the shortest regularly traveled route, either by rail or highway, of members of the Senate and House of Representatives, and not over fifteen employees, who traveled to Bismarck to attend the attempted Special Session of the Legislative Assembly of the State of North Dakota, upon the filing of sworn statements with the State Auditor, stating the mileage to which they are entitled, as provided for above, and further stating that they were in Bismarck on July 19, 1934.

After these affidavits are filed and approved by the State Auditor, he is hereby authorized to issue warrants to each individual applicant out of that part of the Five Thousand Dollars (\$5,000.00) hereby appropriated.

The unexpended balance shall be returned into the General Fund.

The State Auditor shall keep a record of each transaction and file a report of same with the State Senate at the next regular session.

No part of the above appropriation shall be used for any other purpose than is herein stated, and the State Auditor shall be accountable for the use of this appropriation for any other purpose."

Mr. Strehlow moved the following amendment to the amendment of Senator McGillic:

"Wherever the words and figures "Five Thousand Dollars (\$5,000.00)" appear, insert "Six Thousand Dollars (\$6,000.00)."

Which motion prevailed.

The question being on the adoption of Senator McGillic's amendment to House Bill No. 130, as amended, the motion prevailed.

Senator Bonzer moved that House Bill No. 130 be further amended as follows:

"At the end of the bill, add the following: This appropriation shall include the sum of \$500.00 or so much thereof as may be necessary to defray the expenses of the investigating committee."

Which motion prevailed.

Senator Erickson moved that House Bill No. 130 be further amended by striking out the words "for one day" and insert the words "for every roll call answered."

Which motion was lost.

Senator Erickson moved to amend House Bill No. 130 by striking out the word "one day" and inserting "for each day actually attended and supported by affidavit."

Which motion was lost.

Senator Bonzer moved that House Bill No. 130 be amended by striking out the word "attempted" wherever it occurs in the bill.

Which motion prevailed.

Senator Bonzer moved that the Senate do now recess for five minutes.

Which motion prevailed.

The Senate re-convened, pursuant to recess taken, President pro tem. Marshall presiding.

Senator Bonzer moved that the amendments of Senator McGillic to the title of House Bill No. 130 be stricken from

the bill, and that the balance of the amendments of Senator McGillic be adopted.

Which motion prevailed.

Senator Bonzer moved that the rules be suspended and House Bill No. 130, as amended by the Senate, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 130. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of Mileage, Per Diem and Other Incidental Expenses in Connection With the Special Session of the Legislature Convened on July 19, 1934.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by the Senate, the roll was called and there were ayes, 28; nays, 15; absent and not voting, 6.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kroeber	Strehlow
Braaten	Lemke	Stucke
Dubay	Marshall	Thatcher
Erickson	Matthaei	Thorson
Ettestad	McDonald	Vinje
Fine	McGillic	Watt
Greene, Cavalier	Mutchler	Wog
Handley	Nelson, Grand Fks.	Young
Kamrath	Owings	
Kolpin	Peterson	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Fredrickson	Lynn
Coffey	Gronvold	Miklethun
Crandall	Johnson	Nelson, Barnes
Drew	Jones	Topp
Eastgate	Lind	Trovatten

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brostuen	Greene, Stutsman	Trout
Fowler	Lowe	Whelan

So the bill passed and the title was agreed to.

Senator McDonald moved that the vote by which House Bill No. 130 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Cain: For the reasons stated yesterday when House Bill No. 130 was being voted upon, I vote "no."

Senator Dubay: For the reason that the bill has been amended and that I would have to make a sworn statement in order to get pay, I vote "aye" as I do not intend to make that statement.

Senator Ettetstad: Being that this bill has now been amended so that I think it is only paying for the legal part of the session, I vote "aye."

Senator Johnson: I wish to explain my vote and have my remarks recorded in the Journal. I read today in certain newspapers things that have been suggested to the people of this state, that certain other meritorious legislation was defeated because House Bill No. 130 was voted down yesterday. I want to state that I don't believe that any man in this body would vote against any legislation of merit because some other bill was voted down. There is nothing that has transpired since yesterday that would lead me to believe that this bill has any more merit or is any nearer being legal than it was yesterday. For that reason I vote "no."

Senator Erickson: I am going to vote "aye" on this bill because I don't think it is nearly as bad as voting for an appropriation of \$23,000 in 1925 to pay for an illegal audit that was forced upon the state at that time.

Senator Matthaei: So far this session I have not yet explained any of my votes. However I wish to explain this vote and I want my remarks recorded in the Journal. It is my opinion that the entire appropriation is questionable, but unless it be passed, there will be eternal bickering and continual attempted trading in future sessions, also unnecessary jeopardizing of meritorious measures, and since limitations have been incorporated in the amendment just added, therefore in the interest of harmony, I vote "aye."

Senator Watt: I want to explain my vote. In years gone by we have had just such things as this and they have eternally come up to block legislation, session after session, and were eventually paid. Now, Mr. President, I have been opposed to the payment of this appropriation but as time goes on here, I see some of those members came up here before they got second notice from Governor Olson not to come, so in order to be fair to those members, and be fair to the other fellows, Mr. President, and to settle this question, I am going to vote "aye" although it is against my convictions that this bill be paid.

Senator McGillic: The reason I offered this amendment was to sort of create a little harmony, because as the bill was drawn, and with the other amendments they sort of segregated about 57 men and left out the men that came down here away from their work and as they did not happen to be in accord with the members that were here they did not attend the special session but went back home, and that is the reason I made this amendment, and I now vote "aye."

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 161.

Very respectfully,

F. E. TUNELL,
Secretary.

SENATE COMMITTEE ON ENROLLMENT AND
ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 217. A Bill for an Act to Amend and Re-enact Chapter 220, Session Laws of the State of North Dakota for the year 1933, Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Summary Reduction of the Same, Relating to Hearings, and Investigations; and Relating to Valuation and/or Revaluation of Property of Public Utility Companies and Corporations by the Board of Railroad Commissioners; Relating to Payment of Expenses of Such Hearings, and Investigations, and Valuations and/or Revaluations and the Methods of Assessing and Collecting the Same; and Repealing All Acts or Parts of Acts in Conflict Herewith; and Making an Appropriation for the Valuation by Board of Public Commissioners of the Property of the Public Utilities, Subject to the Provisions of Chapter 192 of the Session Laws of 1919, Creating a Revolving Fund, and Declaring an Emergency.

Also,

Senate Bill No. 315. A Bill for an Act to Amend and Re-enact Section 4688a11 of the Supplement to the Compiled Laws of North Dakota, of 1913, Relating to Abolition of Railroad Crossings, the Construction and Maintenance of Overhead and Underground Crossings and Separate Grades and Providing for the Apportionment of the Costs Thereof.

Also,

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 196 of the Laws of North Dakota, 1927, in Relation to the Levy of Taxes to Pay the Principal of and Interest on Bonds Issued by Municipalities Which Are Further Sustained by Revenue of a Revenue-Producing Utility, Industry, or Enterprise, and Declaring an Emergency.

Also,

Senate Bill No. 114. A Bill for an Act Relating to Funding and Refunding Existing Indebtedness of Municipalities and Declaring an Emergency.

Also,

Senate Bill No. 227. A Bill for an Act to Amend and Re-enact Chapter 7429, Compiled Laws of North Dakota for the Year 1913, Relating to Service of Summons by Publication.

Also,

Senate Bill No. 262. A Bill for an Act Temporarily Extending the Time in Which Redemption May Be Made from Tax Sales and Extending the Time in Which Holders of Tax Sales Certificates May Present the Same for Obtaining Tax Deeds, and Extending the Time in Which Tax Deeds May Be Obtained, and Declaring an Emergency and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 276. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 177, Laws of North Dakota for 1927 as Amended by Chapter 182, Laws of North Dakota for 1931, Relating to the Coloring of Gasoline by the Use of a Harmless Dye.

Also,

Senate Bill No. 223. A Bill for an Act to Amend and Re-enact Section 3666 of the Compiled Laws of North Dakota for 1913, Relating to the Time, Place and Manner of Holding City Elections in Cities Under the City Council Form of Government, and Providing That Elective Officers Serve Until Their Successors Are Elected and Qualify, and Declaring an Emergency.

Also,

Senate Bill No. 222. A Bill for an Act to Amend and Re-enact Section 4058 of the Compiled Laws of North Dakota for 1913, as Amended by Section 1 of Chapter 180 of the Session Laws of the State of North Dakota for 1929, Relating to the Organization of a Board of Park Commissioners, Defining the Qualifications, Mode of Election and Term of Office of Such Commissioners and Prescribing the Manner of Filling Vacancies of Said Board, and Declaring an Emergency.

Were delivered to the Governor for his approval at the hour of 2:50 o'clock P. M. March 7, 1935.

T. E. WHELAN,
Chairman.

Also,

Senate Bill No. 226. A Bill for an Act to Amend and Re-enact Sections 8320a13, 8320a14, 8320a19, 8320a20 and

8320a22 of the Supplement to the Compiled Laws of 1913, Relating to Flood Irrigation Projects, and Declaring an Emergency.

Also,

Senate Bill No. 175. A Bill for an Act Providing for a System of Municipal Control of the Purchase, Sale, Importation, Transportation, Handling, Possessing, Dispensing and Use of Alcohol and Alcoholic Beverages by Any Incorporated City of the State Having a Population of Two Hundred or More; the Levy and Collection of a Tax Thereon; the Duties of the State Treasurer; Providing for Injunctions Against and Abatement of Liquor Nuisances; the Continuing in Force of the Present Statutory Regulations Prohibiting the Manufacture, Sale and Possession of Intoxicating Liquors; Providing Penalties for Violations of the Provisions of This Act.

Also,

Senate Bill No. 306. A Bill for an Act Authorizing the Governor to Enter Into Agreements with the President of the United States Under an Act of Congress Entitled "An Act for the Relief of Unemployed Through the Performance of Useful Public Work, and for Other Purposes," Approved March 31, 1933, and Other Acts Supplemental Thereto; Authorizing the Governor to Enter Into Agreements With Private Land Owners, Declaring the Rights and Duties of the Conservation Commission and of Such Land Owner Thereunder and Providing Procedure for Giving Notice to Mortgagees and Lien Holders Against Lands Affected, and Declaring an Emergency.

Also,

Senate Bill No. 212. A Bill for an Act Validating, Ratifying, Approving and Confirming Bonds, Warrants and Other Instruments or Obligations Heretofore Issued by Public Bodies of This State for the Purpose of Financing in Whole or in Part Public Works Projects, and Validating All Proceedings Heretofore Taken for the Incorporation of Any Public Body as Defined in the Act, and Declaring an Emergency.

Also,

Senate Bill No. 57. A Bill for an Act to Amend and Re-enact Section 486 of the Compiled Laws of North Dakota of 1913, as Amended and Re-enacted by Section 2 of Chapter 2 of Chapter 211 of the Session Laws of 1927, and as Further Amended and Re-enacted by Chapter 185 of Session Laws of 1929 and Section 2 of Chapter 211, Session Laws of 1927.

Also,

Senate Bill No. 98. A Bill for an Act to Amend and Re-enact Sub-section (3) of Section 1, Chapter 196, Session Laws of North Dakota for the Year 1927, and Declaring an Emergency.

Also,

Senate Bill No. 192. A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; Providing for the Printing of All Matters Coming Under Class 5 of State Printing; Providing for Each State Department or Office to Designate Newspaper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost Thereof and Repeal all Acts and Parts of Acts in Conflict Herewith.

Were delivered to the Governor for his approval at the hour of 9:25 o'clock P. M., March 8th, 1935.

T. E. WHELAN,
Chairman.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 123. A Bill for an Act Providing for the Procuring of Coal Mine Licenses from the State Coal Mine Inspector, the Establishment of the State Coal Mining Safety Fund from Such Fees and for the Disbursement Thereof, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and Reporting Thereof to the State Coal Mine Inspector and Commissioner of Agriculture and Labor, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court from Such Order of Revocation, Providing a Penalty for Failure to Comply with the Law, Repealing Sections 3081, 3082, 3083 and 3084 of the Compiled Laws of the State of North Dakota for the Year 1913 and all Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 158. A Bill for an Act to Require Free Correspondence Courses to Be Provided for All North Dakota Children of High School Age.

Also,

Senate Bill No. 269. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by "Company G" 1st Regiment North Dakota National Guard Training School, a Corporation, as Mortgagor, to the State of North Dakota, Dated January 25th, 1909, Filed for Record in the Office of the Register of Deeds of Barnes County, North Dakota, on April 9th, 1909, at Two O'Clock, P. M. and Recorded in Book 43 of Mortgages on Page 3, and Covering Lot Sixteen (16) and the North Half (N½) of Lot Seventeen (17) in

Block Seventeen (17) of the Original Plat of Valley City, North Dakota.

Also,

Senate Bill No. 311. A Bill for an Act to Authorize Building and Loan Associations to Insure Members' Investments in Federal Savings and Loan Insurance Corporation and to Provide for the Conversion of Building and Loan Associations and Other Home Financing Organizations Into Federal Savings and Loan Associations, Prescribing the Procedure Therefor, Defining the Results Thereof, and Providing for the Indebtedness of Such Associations, and Declaring an Emergency.

Also,

Senate Bill No. 289. A Bill for an Act to Amend and Re-enact Section 11100 of the Compiled Laws of the State of North Dakota Relating to Quorum and Majority Vote of Board Required to Grant Pardon, Providing for the Time of Meetings.

Also,

Senate Bill No. 294. A Bill for an Act to Amend and Re-enact Section 2346a11 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 253 of the 1933 Session Laws; Section 2346a20 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 4 of Chapter 253 of the 1933 Session Laws; Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Sub-section 4 of Section 4 of Chapter 283 of the 1931 Session Laws, Relating to the Taxation of Income of Individuals, Fiduciaries and Corporations; Repealing That Portion of Section 2346a46 of the Supplement to the Compiled Laws of 1913 as was Amended and Re-enacted by Paragraph (b) of Sub-section 4 of Section 6 of Chapter 283 of the 1931 Session Laws and Repealing Sub-section 7 of Section 4 of Chapter 283 of the 1931 Session Laws, and Repealing Sub-section 7 of Section 2346a30 of the 1925 Supplement to the Compiled Laws, and All Other Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 304. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May

Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing Senate Bill No. 263 Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Acts or Parts of Acts in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof;" and Declaring an Emergency.

Also,

Senate Bill No. 164. A Bill for an Act to Amend and Re-enact Section 4 (a) of Chapter 166 of the Session Laws of North Dakota for the Year 1929, and to Amend and Re-enact Section 6 of Chapter 189 of the Session Laws of North Dakota for the Year 1931, Being 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; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; 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.

Also,

Senate Bill No. 13. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota, and its Branch Stations.

Also,

Senate Bill No. 23. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession during the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act.

Also,

House Bill No. 299. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 206 of the 1933 Session Laws of the State of North Dakota, Providing for the Sale of Personal Property or Chattels Ordered Sold by Judicial Action; Pro-

viding for the Publication of Notice of Sale, Repealing Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 6548a11 and 6548a12 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Exchange of Reciprocal or Inter-Insurance Contract; Providing for Appointment of Resident Agents; License Fees and Tax; Publication of Abstract of Annual Statement; Providing for Applicability of General Insurance Laws. Repeal.

Also,

House Bill No. 196. A Bill for an Act Providing for the Creation and Establishment of a Labor Division Within the Department of Agriculture and Labor, and Providing for the Qualification and Making Provision for the Appointment of a Deputy Within the Department of Agriculture and Labor, to Represent Labor.

Also,

House Bill No. 112. A Bill for an Act Regulating the Purchase, Use, Administering and Handling of Hog Cholera Virus, and Providing Penalties Therefor.

Also,

House Bill No. 38. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions, and Declaring an Emergency.

Also,

House Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota; Imposing Certain Duties on the Board of Administration in Relation Thereto When Funds May Be Obtained From the Federal Government for the Above Purposes; and Declaring an Emergency.

Also,

HOUSE CONCURRENT RESOLUTION A-22

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 123. A Bill for an Act Providing for the Procuring of Coal Mine Licenses from the State Coal Mine Inspector, the Establishment of the State Coal Mining Safety Fund from Such Fees and for the Disbursement Thereof, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and Reporting Thereof to the State Coal Mine Inspector and Commissioner of Agriculture and Labor, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court from Such Order of Revocation, Providing a Penalty for Failure to Comply with the Law, Repealing Sections 3081, 3082, 3083 and 3084 of the Compiled Laws of the State of North Dakota for the Year 1913 and all Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 158. A Bill for an Act to Require Free Correspondence Courses to Be Provided for all North Dakota Children of High School Age.

Also,

Senate Bill No. 269. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by "Company G" 1st Regiment North Dakota National Guard Training School, a Corporation, as Mortgagor, to the State of North Dakota, Dated January 25th, 1909, Filed for Record in the Office of the Register of Deeds of Barnes County, North Dakota, on April 9th, 1909, at Two O'Clock, P. M. and Recorded in Book 43 of Mortgages on Page 3, and Covering Lot Sixteen (16) and the North Half (N½) of Lot Seventeen (17) in Block Seventeen (17) of the Original Plat of Valley City, North Dakota.

Also,

Senate Bill No. 311. A Bill for an Act to Authorize Building and Loan Associations to Insure Members' Investments in Federal Savings and Loan Insurance Corporation and to Provide for the Conversion of Building and Loan Associations and Other Home Financing Organizations Into Federal Savings and Loan Associations, Prescribing the Procedure Therefor, Defining the Results Thereof, and Providing for the Indebtedness of Such Associations, and Declaring an Emergency.

Also,

Senate Bill No. 289. A Bill for an Act to Amend and Re-enact Section 11100 of the Compiled Laws of the State of North Dakota Relating to Quorum and Majority Vote of Board Required to Grant Pardon, Providing for the Time of Meetings.

Also,

Senate Bill No. 294. A Bill for an Act to Amend and Re-enact Section 2346a11 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 253 of the 1933 Session Laws; Section 2346a20 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 4 of Chapter 253 of the 1933 Session Laws; Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Sub-section 4 of Section 4 of Chapter 283 of the 1931 Session Laws, Relating to the Taxation of Income of Individuals, Fiduciaries and Corporations; Repealing That Portion of Section 2346a46 of the Supplement to the Compiled Laws of 1913 as was Amended and Re-enacted by Paragraph (b) of Sub-section 4 of Section 6 of Chapter 283 of the 1931 Session Laws and Repealing Sub-section 7 of Section 4 of Chapter 283 of the 1931 Session Laws, and Repealing Sub-section 7 of Section 2346a30 of the 1925 Supplement to the Compiled Laws, and All Other Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 304. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing Senate Bill No. 263 Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Acts or Parts of Acts in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof;" and Declaring an Emergency.

Also,

Senate Bill No. 164. A Bill for an Act to Amend and Re-enact Section 4 (a) of Chapter 166 of the Session Laws of North Dakota for the Year 1929, and to Amend and Re-enact Section 6 of Chapter 189 of the Session Laws of North Dakota for the Year 1931, Being 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; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License;

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.

Also,

Senate Bill No. 13. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota, and its Branch Stations.

Also,

Senate Bill No. 23. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession during the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act.

Which the President has signed and your signature is respectfully requested.

Also return:

House Bill No. 299. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 206 of the 1933 Session Laws of the State of North Dakota, Providing for the Sale of Personal Property or Chattels Ordered Sold by Judicial Action; Providing for the Publication of Notice of Sale, Repealing Acts in Conflict Herewith and Declaring an Emergency.

Also,

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 6548a11 and 6548a12 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Exchange of Reciprocal or Inter-Insurance Contract; Providing for Appointment of Resident Agents; License Fees and Tax; Publication of Abstract of Annual Statement; Providing for Applicability of General Insurance Laws. Repeal.

Also,

House Bill No. 196. A Bill for an Act Providing for the Creation and Establishment of a Labor Division Within the Department of Agriculture and Labor, and Providing for the Qualification and Making Provision for the Appointment of a Deputy Within the Department of Agriculture and Labor, to Represent Labor.

Also,

House Bill No. 112. A Bill for an Act Regulating the Purchase, Use, Administering and Handling of Hog Cholera Virus, and Providing Penalties Therefor.

Also,

House Bill No. 38. A Bill for an Act Making an Appropriation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions, and Declaring an Emergency.

Also,

House Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, New Buildings, Equipment and Miscellaneous Items for the Grafton State School at Grafton North Dakota; Imposing Certain Duties on the Board of Administration in Relation Thereto When Funds May Be Obtained from the Federal Government for the Above Purposes; and Declaring an Emergency.

Also,

HOUSE CONCURRENT RESOLUTION No. A-22

Which the President has signed.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 122. A Bill for an Act to Provide for Pensions for the Blind, Creating a Pension Fund Therefor, Providing for the Levy of Annual Tax, Prescribing Persons to Be Pensioned.

Also,

House Bill No. 181. A Bill for an Act to Amend and Re-enact Chapter 254 of the Session Laws of 1933, Relating to the Old Age Pensions, Creating an Old Age Pension Fund, Providing for the Levy of Any Annual Tax Therefor, Prescribing Persons to Be Pensioned Thereunder, and Penalties for the Violation Thereof.

Also,

House Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1828 of the Compiled Laws of 1913 and Chapter 78 of the Laws of the State of North Dakota for the Year 1915, and Section 1828 of the 1925 Compiled Laws of North Dakota, and Chapter 241 of the Laws of the State of North Dakota for the Year 1933, Relating to the Use of

Lignite Coal in State and County Institutions and Schools, and to Provide for the Use of Native Lignite Coal, Native Natural Gas, and Native Oil as Fuel in Such Institutions and Schools, and Providing a Penalty for the Violation of This Act.

Also,

House Bill No. 210. A Bill for an Act to Amend and Re-enact That Portion of Section 2166 of the Supplement to the Compiled Laws of 1913 as Was Amended and Re-enacted by Sub Section (b) of Section 1 of Chapter 279 of the 1931 Session Laws Relating to the Collection of Personal Property Taxes; Providing for Publication of Personal Property Tax List in Newspapers Nearest the Taxing District. Repeal.

Also,

HOUSE CONCURRENT RESOLUTION A-20

Which the Senate has indefinitely postponed.

Very respectfully,

F. E. TUNELL,
Secretary.

The President announced the appointment of Senators Strehlow, Crandall and Handley as the Senate Conference Committee on House Bill No. 37.

SENATE RESOLUTION "K"

Introduced by Senator Thatcher

WHEREAS some of the light, heat, power and gas companies operating in this state are alleged to be charging exorbitant fees and

WHEREAS some of them are allegedly refusing to extend service sufficiently to accommodate would-be customers and

WHEREAS it is alleged that some of the charges made for connection for city and farm homes are out of all reason and

WHEREAS it is charged that the services rendered in instances are unsatisfactory and

WHEREAS it is charged that the stock of these various corporations is watered

NOW THEREFORE BE IT RESOLVED that the Board of Railroad Commissioners of the State of North Dakota are hereby authorized and directed to make a full, complete and exhaustive investigation of the above charges and that they report in writing to the next session of the legislature, either regular, or a special session if there is one, and that they embody in said report, if they find such charges to be true, recommendations as to the best method of securing justice for the people of the state of North Dakota from the utilities and further that they report what the approxi-

mate cost will be of the State of North Dakota buying the said utilities outright and whether, in their opinion, it would be advisable to do so.

Senator Thatcher moved that the Resolution be adopted, which motion prevailed and the Resolution was adopted.

Senator Owings asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Owings moved that the vote by which House Bill No. 7 was lost be reconsidered.

Which motion prevailed.

Senator Bonzer demanded a Call of the Senate.

A Call of the Senate was granted.

The roll was called and all Senators were present except Senators Jones and Topp.

The Sergeant-at-arms was instructed to bring the absent Senators into the Senate Chamber.

Senator Greene of Stutsman moved that Senators Trout and Whelan be excused.

Which motion prevailed.

Senator Cain moved that the Call of the Senate be dispensed with.

Which motion prevailed.

Senator Cain moved that action on House Bill No. 7 be laid aside until the Conference Committee reports on Senate Bill No. 313 and House Bill No. 255 have been dispensed with.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 165.

Also,

The House has refused to concur in the Senate amendment to House Bill No. 255, and the Speaker has appointed as a conference committee to act with a like committee from the Senate, Representatives: Childs, Scholl and Traynor.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Whelan asked unanimous consent to return to the Fifth Order of Business.

Which request was granted.

**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. 13. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota, and its Branch Stations.

Also,

Senate Bill No. 23. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist from Foreclosure for Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession during the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days after the Passage of This Act.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

**SENATE COMMITTEE ON ENROLLMENT AND
ENGROSSMENT**

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that

Senate Bill No. 132. A Bill for an Act Defining Banking Institutions Within the Meaning of This Act; Authorizing Such Banking Institutions to Enter Into Such Contracts, Incur Such Obligations and Generally to do Such Acts as May Be Appropriate or Necessary to Take Advantage of Any and All Memberships, Loans, Subscriptions, Contracts, Grants, Rights or Privileges, Including the Right to Receive and Hold United States Postal Savings Deposits, Which May, at Any Time, Be Available or Enure to Said Banking

Institutions or Their Depositors, Stockholders, Conservators, Liquidators or Receivers, Under or by Virtue of Any Act, Regulation or Resolution of the Congress of the United States or Any Department, Board, Agency or Officer Thereof; to Aid, Regulate, Foster, Promote or Safeguard Banking Institutions and Depositors, Including the Act Creating the Federal Deposit Insurance Corporation and Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which Said Banking Institutions, Their Stockholders, Depositors, Conservators, Liquidators or Receivers May Take Advantage of, Comply With and Act Upon the Rights and Privileges Hereby Granted to Them, and Declaring an Emergency.

Also,

Senate Bill No. 174. A Bill for an Act Providing for Uniform Title to Papers and Proceedings in Probate Court Practice, and for Form of Citation.

Also,

Senate Bill No. 15. 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.

Also,

Senate Bill No. 17. A Bill for an Act Making an Appropriation for the General Maintenance and a New Building for the State Hospital for the Insane at Jamestown, North Dakota, and for the Construction and Equipment of a New Building at Said Hospital; Permitting the Use of Labor of Inmates in the Construction and Equipment of Such New Building; Imposing Certain Duties on the Board of Administration in Connection Therewith; and Repealing All Acts or Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 75. A Bill for an Act to Provide for Liens in Favor of Hospitals and Other Charitable Institutions Furnishing Care, Treatment and Maintenance of Persons Injured in Accidents, not Subject to the Provisions of the Workmen's Compensation Act of North Dakota, for the Reasonable Value of the Service so Rendered, Upon the Rights of Action, Claims or Demands of Such Injured Persons, or Judgments Recovered Thereon, Against Other Persons, or Corporations, liable in Tort for Damages, on Account of Negligence Causing the Injuries, and Upon the Proceeds of the Settlements of Any Such Claims or Demands; and Upon and Against the Insurer of Such Tort Feasor or Tort Feasors; and Upon Insurance Held by the Injured Person, and Providing for Constructive Notice Upon Such Insurers, Tort Feasors and their Insurers, if any, by a Filing of a Lien Statement with the Clerk of the District Court of the County in Which Such Services Are Rendered.

Also,

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Sub-division (e) of Section 25 of Chapter 186, Session Laws of 1931, as Amended by Chapter 160 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

Senate Bill No. 186. A Bill for an Act Transferring \$78,293.94 from Certain Fund in Office of State Treasurer, Derived from the United States, to the State Equalization Fund, Appropriating the Same for School Purposes, and Providing That Funds Derived in the Future from Same Source Shall Be Placed in the State Equalization Fund and Used for School Purposes, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Also,

Senate Bill No. 230. A Bill for an Act to Amend and Re-enact Section 7745 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Notice to Be Given Upon Sale of Real Property Under Execution; Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith and Making the Same an Emergency Measure.

Also,

Senate Bill No. 244. A Bill for an Act to Permit Fidelity and Surety Companies to Act as Sureties Upon Civil or Criminal Undertakings for Bail.

Also,

Senate Bill No. 245. A Bill for an Act to Fix the Venue of Crimes Committed in or Against Aircraft in Flight, and Upon Trains or Other Vehicles.

Also,

Senate Bill No. 246. A Bill for an Act to Provide for the Use of Alternate Jurors in Criminal Cases, and to Regulate the Practice of the Courts in Regard Thereto.

Also,

Senate Bill No. 261. A Bill for an Act Transferring a Sum of Fifty Thousand Dollars from the General Fund to the "Returned Soldiers Fund" Heretofore Transferred from the Returned Soldiers Fund to the General Fund Under the Provisions of Chapter 82 of the Session Laws of 1931, and Declaring an Emergency.

Also,

Senate Bill No. 295. A Bill for an Act to Permit Boards of County Commissioners to Set Aside and Transfer for Park and Recreational Purposes Lands Acquired by the County Through Tax Deeds, and Declaring an Emergency.

Were delivered to the Governor for his approval at the hour of 2:35 o'clock P. M., March 5, 1935.

T. E. WHELAN,
Chairman.

Also,

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 36 of Chapter 162 of the Session Laws of North Dakota for the Year 1927 as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1931, and as Amended by Chapter 163 of the Session Laws of North Dakota for the Year 1933, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles, that May Be Driven or Moved Upon the Highways of the State of North Dakota, and Prescribing Penalty for Violation Thereof.

Also,

Senate Bill No. 131. A Bill for an Act Authorizing and Empowering the Governor to Accept a Conveyance in Trust of the Lands Comprising the International Peace Garden to the State of North Dakota; Setting Forth the Terms and Conditions of the Trust; Vesting the Custody, Control, Possession, Supervision, Management and Operation of Such Lands in the Board of Directors of the International Peace Garden, Inc.; Vesting in the State Historical Society General Supervision of Such Lands, and Expressly Empowering the State Historical Society to Co-operate in the Establishment, Promotion and Development of the International Peace Garden for the Purpose of Furthering International Peace Among the Nations of the World; Providing for the Duration of Such Trust, and Repealing All Acts, or Parts of Acts, in Conflict Herewith, and Declaring That an Emergency Exists for the Immediate Enactment of This Act.

Also,

Senate Bill No. 133. A Bill for an Act Authorizing Banking Institutions to Issue and Sell Capital Notes or Debentures and Preferred Stock; Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which the Same May Be Issued and Sold.

Also,

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931, Relating to Capital Stock of Banks.

Also,

Senate Bill No. 137. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 89 of the Session Laws of the State of North Dakota for the Year 1933, Relating to Prohibition Against Corporation Farming, and Declaring an Emergency.

Also,

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 7731, Supplement to the Compiled Laws of 1913, Relating to Exemptions of Personal Property from Attachment, Levy and Sale on Execution, and Defining "Head of Family" as Defined by Section 5626 of the Compiled Laws of 1913, and Exemptions of a Single Person, and Declaring an Emergency.

Also,

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Subsection 2 of Section 2 and Section 5 of Chapter 179 of the Session Laws of North Dakota, 1933, Authorizing the Execution of a Mortgage or a Deed of Trust to Secure Mortgage Bonds and Making Such Bonds Negotiable.

Also,

Senate Bill No. 209. A Bill for an Act to Amend and Re-enact Subdivision 6 of Section 17 of Chapter 196, Session Laws of North Dakota for the Year 1927, Authorizing the Private Sale of Bonds to the United States of America or Any Agency or Instrumentality Thereof Without Public Advertisement, and Declaring an Emergency.

Also,

Senate Bill No. 219. A Bill for an Act Providing That No Fee Shall Be Charged or Collected for the Recording or Filing of Any Document Required by the United States or the State of North Dakota for Any Water and/or Wild-life Conservation Project; Repealing All Acts or Parts of Acts in Conflict Herewith, Declaring an Emergency.

Also,

Senate Bill No. 218. A Bill for an Act Providing That the State and the Several Counties of the State Are Authorized to Acquire by Purchase, Exchange, Gift, Condemnation or Otherwise the Title to Any Land Within the Same Political Subdivision for the Purpose of Establishing Any Public Park or Recreational Area, or for the Purpose of Constructing, Maintaining and Operating Any Water and/or Wild-life Conservation Project; Providing That All Lands to Be Purchased or Exchanged Under Authority of This Act Shall Be Appraised by the Existing Appraisal Agencies of the Parties to the Contract; Providing That Where No Such Appraisal Agency Exists the County Board of Commissioners Shall Determine the Value Thereof, and Providing That No Land Shall Be Purchased for More Than the Appraised Value, nor Shall Any Lands Owned by the State or the Several Counties Be Exchanged Except for Lands of an Equal

Appraised Value; Providing That the State of North Dakota Shall Reserve All Mineral Rights to All State Lands Transferred Under Authority of This Act; Providing a Saving Clause; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 221. A Bill for an Act to Amend and Re-enact Section 3583 of the Compiled Laws of North Dakota for 1913, as Amended by Section 2 of Chapter 167 of the Session Laws of the State of North Dakota for 1933, Relating to Terms of Office of Aldermen, and Declaring an Emergency.

Also,

Senate Bill No. 239. A Bill for an Act Authorizing Any Board or Officer Having the Control or Management of Any Real State Belonging to or Controlled by the State of North Dakota or Any of Its Political Subdivisions to Enter Into Agreements with the United States of America for the Improvement of Said Real Estate by the Establishment and Maintenance of Shelterbelts of Trees and Other Plants and Necessary Protective Structures and Works Thereon, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 241. A Bill for an Act to Provide for the Conditional Examination of Witnesses Held to Appear Before a Grand Jury or Court When Such Witnesses Are Unable to Give the Security Required by the Court.

Also,

Senate Bill No. 242. A Bill for an Act to Amend and Re-enact Section 11119, Compiled Laws of 1913, and to Permit the Deposit of Money or Bonds as Bail in Criminal Cases.

Also,

Senate Bill No. 249. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend the Present Sewerage System of the State Penitentiary to Connect With the City of Bismarck System of Sewerage, Providing for the Use of Prison Labor, or to Make Provision for its Construction by Governmental Agency; Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 277. A Bill for an Act Authorizing the Board of Administration to Construct, Either Independently of or Jointly With the City of Grafton, a Sewage Disposal Plant for the Grafton State School and Making an Appropriation Therefor.

Also,

Senate Bill No. 283. A Bill for an Act to Amend and

Re-enact Section 9606a1 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Declaring it Unlawful to Place Certain Children in Almshouses or Other Institutions Without the Consent of the Board of Administration, With Certain Exceptions, Prohibiting Placing of Certain Children in the State Training School, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 286. A Bill for an Act Validating Payments Heretofore Made by the State or Municipalities for Payments of Workmen's Compensation Insurance; Authorizing Municipalities to Pay Such Premiums With Any Moneys Except Special Levies and to Draw Special Warrants for Premiums Where Funds Are Unavailable and Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 297. A Bill for an Act Providing for the Cancellation of Record of Certain Chattel Mortgages and Certain Written Agreements Relating to Personal Property, by the Register of Deeds, for Cancelling Certain Bills of Sale, Requiring Assignments of Chattel Mortgages to Be Filed Before the Filing of Affidavit of Renewal or Satisfaction, and Repealing All Acts in Conflict Therewith.

Also,

Senate Bill No. 326. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 172, of the Session Laws of 1929, Which Authorizes and Empowers Cities, Towns or Villages to Purchase, Erect, Operate and Maintain or Lease Electric Light and Power Plant, Electric Distribution System and Transmission Line, Telephone Plant or Parts of Systems or Lines or Waterworks, Mains, Distribution System and/or Equipment or Appliances Connected Therewith as Provided in the Act, and Declaring an Emergency.

Were delivered to the Governor for his approval at the hour of 11 o'clock A. M., March 6, 1935.

T. E. WHELAN,
Chairman.

Also,

Senate Bill No. 138. A Bill for an Act Providing That Surety and Insurance Companies Other Than Life Insurance Companies, Shall Do Business in This State Only Through Duly Licensed Resident Agents, Regulating the Practice of Such Resident Agents, Providing That the Commissioner of Insurance Shall Have the Power to Refuse, Suspend or Revoke Licenses of Such Resident Agents, Authorizing the Commissioner of Insurance to Examine the Records of Surety or Insurance Companies, to Collect Premium Taxes on Surety or Insurance Companies That Have Transacted Business Within the State Without Authority, Providing Penalties

for the Violations Thereof, and Repealing Sections 4961, 4962, 4963 and 4964 of the Compiled Laws of North Dakota for 1913 and Chapter 133, of the Session Laws of North Dakota for 1933, and Declaring an Emergency.

Also,

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Section 1162 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for 1933, Relating to Annual Regular and Special Meetings of Boards of Common School Districts and Providing for Notice of Same and Relating to Attendance, Per Diem and Mileage of School Officers Attending County Meetings, and Declaring an Emergency.

Also,

Senate Bill No. 216. A Bill for an Act Amending and Re-enacting Section 16 of Chapter 196 of the Laws of North Dakota for the Year 1927, and Relating to the Execution, Registration, Certification and Delivery of Bonds Issued by a Municipality.

Also,

Senate Bill No. 229. A Bill for an Act Relating to Foreclosure of Mortgage or Other Lien Upon Real Estate Providing for Service of Summons in Actions to Foreclose Mortgage or Other Lien Upon Real Estate; Providing for Personal Service or Service by Publication; Specifying Manner in Which Unknown Defendants and Representatives of Deceased Defendants May Be Joined; Providing That Said Method Shall Be in Addition to Present Remedies.

Also,

Senate Bill No. 287. A Bill for an Act Authorizing the Workmen's Compensation Bureau to Carry Compensation Insurance on Employees on National Recovery Work Projects and to Calculate and Determine Rates on a State Wide Experience Basis.

Also,

Senate Bill No. 281. A Bill for an Act Relating to the Incorporation of Mutual Aid Non-Profit Corporations, and Defining Their Purposes and Powers and Declaring an Emergency.

Also,

Senate Bill No. 296. A Bill for an Act to Provide for the Creation of Water Conservation Districts; to Provide for Water Conservation Commissioners and Fix Their Powers and Duties; to Provide for a State Water Conservation Commissioner and Fix His Powers and Duties; to Provide for the Acquisition of Property Rights and the Assessment of Benefits Against the Property Affected, and to Provide for the Levy of Special Assessments and Prescribing the

Duties of County Commissioners Relating to Water Conservation Projects, Providing for the Exemption of Federal Projects and Agencies, and Declaring an Emergency.

Also,

Senate Bill No. 310. A Bill for an Act Authorizing Counties, Cities, Villages, School Districts and Park Districts to Accept Devises, Bequests, Legacies and Gifts, Provided That the Title Thereto Shall Be Held in Trust; Regulating the Handling and Use of Such Property and its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made; and Declaring an Emergency.

Also,

Senate Bill No. 328. A Bill for an Act Authorizing the State Forester to Accept, Acquire or Lease Land for State Forests and State Parks; Providing for the Management and Development Thereof and the Disposition of Income From Such Lands.

Also,

Senate Bill No. 263. A Bill for an Act to Amend and Re-enact Sections 2350, 2412 and 2417 of the Compiled Laws of North Dakota of the Year 1913 Relating to the Military Code of the State of North Dakota; Defining Military Forces; Providing a Board of Armory Supervisors and Defining the Powers Thereof; Fixing the Pay and Allowances of Enlisted Men on Active Duty and Further Providing for the Appointment of an Assistant Adjutant General, His Powers and Duties; the Appointment of a Disbursing Officer, His Powers and Duties; Requiring Officers to Furnish Bonds; Providing Punishment for False Certificates or Returns and for the Misuse of Funds or Property; Providing that State and Municipal Officers and Employees Shall Not Lose Pay While on Duty; Giving Troops Power to Act Outside of Occupied Territory; Providing for the Service of Process of Military Courts; Providing that the Invalidation of a Portion of This Act Shall Not Invalidate the Remainder Thereof and Repealing Sections 2392, 2421, 2432b and 2434 of the Compiled Laws North Dakota of the Year 1913 and Sections 2423a and 2442a of the 1925 Supplement to the Compiled Laws of North Dakota of the Year 1913 and All Acts or Parts of Acts in Conflict Herewith.

Also,

Senate Bill No. 273. A Bill for an Act to Appropriate the Sum of One Thousand Dollars (\$1,000.00) From Any Moneys in the State Highway Fund for the Purpose of Making a Preliminary Survey and Soundings for the Construction of a Bridge Across the Little Missouri River at or Near the Intersection of the Little Missouri River With the Trail Passing South of Independence and Crossing Section Twenty-nine (S. 29), Township One Hundred Forty-eight (T. 148), Range Ninety-one (R. 91) Dunn County, North Dakota, Approximately Six Miles Northwest of the Fort Berthold

Bridge, Also Known as the Four Bears Bridge, Under the Provisions of Chapter Seventy-three (73) of the Laws of North Dakota for the year Nineteen Hundred Nineteen (1919) (Sections 1952a1 and 1952a2 of the 1925 Supplement to the Compiled Laws of 1913) as Amended and Re-enacted by Chapter 161, Laws of 1927, as Amended and Re-enacted by Chapter 140 of the Laws of 1929, and Directing the State Highway Commissioner Forthwith to Designate Said Trail as a Feeder Road to State and Federal Highway No. 8, and to Forthwith Make Said Soundings and Survey, and Select a Bridge Site; and Directing Said Highway Commissioner Forthwith to Construct Such Bridge, and Do All Necessary Preliminary Acts Therein.

Also,

Senate Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Department of the Registrar of Motor Vehicles.

Also,

Senate Bill No. 19. 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. 52. A Bill for an Act Creating a Board Known as the "North Dakota Commissioners of the Federated Cooperative Agricultural Association" and Providing for Cooperation With Other Surplus Producing States of the Union, Describing the Manner of Forming the Same, the Purposes Thereof, Making an Appropriation Therefor, and Declaring an Emergency.

Also,

Senate Bill No. 324. A Bill for an Act Authorizing and Empowering the Industrial Commission of the State of North Dakota to Take Such Action as May Be Proper and Necessary to Cooperate with the Emergency Conservation Work Projects of the Federal Government on State, County and Municipally owned Lands, Authorizing the Industrial Commission to Enter Into Such Contracts and Agreements as Are Permissible Under the State Constitution with Municipalities and Private Individuals for the Carrying on of Such Emergency Conservation Work Projects, Making it the Duty of Such Commission to Make a Report of its Proceedings Under This Act to the Next Legislative Assembly, and Declaring an Emergency.

Were delivered to the Governor for his approval at the hour of 11:35 o'clock A. M., March 8th, 1935.

THOMAS WHELAN,
Chairman.

The President announced the appointment of Senators Fine, Greene of Stutsman and Brostuen as the Senate Conference Committee on House Bill No. 255, and Senate Bill No. 313.

Also, Senators Braaten, Stucke and Handley as the Senate Conference Committee on Senate Bill No. 22.

REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 88 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Subdivision (e) of Section 1 of Chapter 161, Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Have had the same under consideration and beg to state that your Conference Committee recommend that the bill be amended as follows:

"In subdivision (e) of the engrossed bill, strike out all of lines 9, 10, 11 up to and including the word "market" and insert in lieu thereof the following language: "provided further that commercial freighting, as defined in this Act, shall not include hauling done for farmers in transporting agricultural products to or from market, nor shall this include anyone hauling farm products to or from a railroad station in his farming territory; or incidental hauling of products other than agricultural, where no charge is made therefor."

For the Senate:

A. F. BONZER, Jr.,
J. K. BROSTUEN,
HARRY PETERSON.

For the House:

L. L. TWICHELL,
W. S. PLACE
A. C. ANDERSON.

Senator Peterson moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Peterson moved that the rules be suspended and that Senate Bill No. 88, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Subdivision (e) of Section 1 of Chapter 161. Session

Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by Conference Committee, the roll was called and there were ayes, 34; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Jones	Nelson, Grand Fks.
Coffey	Kamrath	Owings
Crandall	Kolpin	Peterson
Drew	Kroeber	Stucke
Dubay	Lind	Thatcher
Eastgate	Lynn	Topp
Erickson	Marshall	Thorson
Ettestad	McDonald	Vinje
Greene, Cavalier	Miklethun	Watt
Gronvold	Mutchler	Whelan
Johnson	Nelson, Barnes	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	McGillic
Brostuen	Handley	Strehlow
Cain	Lemke	Trout
Fine	Lowe	Trovatten
Fowler	Matthaei	Wog
Fredrickson		

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator McDonald moved that the vote by which Senate Bill No. 88 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 156 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 156. A Bill for an Act to Amend and Re-enact Sub-division (d) of Section 1 of Chapter 188 of the Session Laws of 1931, Relating to Regulations of Motor Vehicle Transportation, and Declaring an Emergency.

Have had the same under consideration and recommend the further amendments by the conference committee as follows: In subdivision "D" of the engrossed bill, in line 26

after the word "the" strike out the following language "the local railroad station" and insert in lieu thereof the following: "market; or incidental hauling of products other than agricultural, where no charge is made therefor; nor shall this include hauling farm products to or from a railway station in his farming territory."

For the Senate:

A. F. BONZER, Jr.,
HARRY PETERSON,
J. K. BROSTUEN.

For the House:

L. L. TWICHELL,
W. S. PLACE,
A. C. ANDERSON.

Senator Eastgate moved that the Senate do not concur in the House amendments to Senate Bill No. 156 and that a Conference Committee be appointed.

Senator Peterson moved as a substitute motion that the Senate do concur in the House amendments to Senate Bill No. 156.

Which motion prevailed.

Senator Peterson moved that the rules be suspended and that Senate Bill No. 156 be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 156. A Bill for an Act to Amend and Re-enact Sub-division (d) of Section 1 of Chapter 188 of the Session Laws of 1931, Relating to Regulations of Motor Vehicle Transportation, and Declaring an Emergency.

Was read the second time.

The question being on the final passage of the Bill, as amended by Conference Committee, the roll was called and there were ayes, 33; nays, 4; absent and not voting, 12.

ROLL CALL

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Peterson
Braaten	Kolpin	Stucke
Coffey	Kroeber	Thatcher
Crandall	Lind	Thorson
Drew	Marshall	Topp
Dubay	Matthaei	Trovatten
Erickson	McDonald	Vinje
Ettestad	Miklethun	Watt
Greene, Cavalier	Mutchler	Whelan
Kamrath	Nelson, Barnes	Wog
Jones	Owings	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Cain	Gronvold	Lynn
Eastgate		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brostuen	Greene, Stutsman	McGillic
Fine	Handley	Nelson, Grand Fks.
Fowler	Lemke	Strehlow
Fredrickson	Lowe	Trout

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Peterson moved that the vote by which Senate Bill No. 156 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 185.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on:

Senate Bill No. 88.

Also,

Senate Bill No. 156.

Also,

Senate Bill No. 1.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following bill:

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Senate Bill No. 22. A Bill for an Act Making an Appropriation to pay for the General Maintenance, Improvements and Repairs, Lignite Testing, Clay Testing, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Which the House has amended.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Miklethun moved that the request of the House be granted and Senate Bill No. 185 be returned.

Which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return herewith Senate Bill No. 185 which the House has requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 88.

Also adopts the report on Senate Bill No. 156.

Very respectfully,

F. E. TUNELL,
Secretary.

REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 1 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 1. 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:

On Page 2, Subdivision 1, the Senate do concur in House amendments.

Subdivision 2, Senate do concur in House amendments.

Subdivision 3, Senate do concur in House amendments.

Subdivision 5, House concurs in Senate amendments.

Subdivision 6, Senate concurs in House amendments.

Page 5, Subdivision 7, Senate do concur in House amendments.

Page 5, Subdivision 8, Senate do concur in House amendments.

Page 6, Subdivision 9, Senate do concur in House amendments.

Page 7, Subdivision 10, Senate do concur in House amendment in line 137, and recommend the further amendments on page 8:

After the line 146, insert an additional line numbered "146½" the following language and figures: "Investigation of unauthorized insurance companies, \$4,000.00."

Change totals to read "\$28,123.76."

Page 8, Subdivision 12, Senate do concur in House amendments.

Page 9, Subdivision 13, Senate do concur in House amendments.

Page 10, Subdivision 14, line 198, House do concur in Senate amendment, and further amend line 202, strike out the figures "\$10,000.00" as amended by House, and insert the figures "\$13,000.00."

Line 204, strike out the House amendment "\$15,000.00," and insert in lieu thereof the figures "\$18,000.00."

Line 207, strike out the House amendments "\$33,480.00" and insert in lieu thereof "\$39,480.00."

Page 10, Subdivision 15, Senate do concur in House amendments.

Page 11, Subdivision 16, Senate do concur in House amendment and recommend the further amendment: In Line 227¾ strike out the figures "\$2,400.00" and insert in lieu thereof the figures "\$2,160.00," and change the totals in line 237 to read "\$29,824.00."

Page 11, Subdivision 17, line 242, strike out "\$3,200.00" and insert in lieu thereof "\$3,580.00," and on

Page 12, strike out the House amendment of "\$5,400.00" and insert in lieu thereof the figures "\$5,000.00." The Senate concurs in the rest of the House amendments, except the totals in line 262 which should be changed from "\$91,124.00" to "\$91,104.00."

Page 12, Subdivision 18, Senate do concur in House amendment.

Page 13, Subdivision 19, Senate do concur in House amendment.

Page 15, Subdivision 21, Senate do concur in House amendment.

Page 16, Subdivision 22, Senate do concur in House amendment.

Page 17, Subdivision 23, Senate do concur in House amendment.

Page 18, Subdivision 25, Senate do concur in House amendment.

Page 18, Subdivision 26, the House do concur in Senate amendments.

Page 19, Subdivision 27, Senate do concur in House amendments.

Page 20, Subdivision 29, House do concur in Senate amendments.

Page 21, Subdivision 31, Senate do concur in House amendments.

Page 21, Subdivision 32, House do concur in Senate amendments.

For the Senate:

L. O. FREDRICKSON,
A. A. TROVATTEN,
O. E. ERICKSON.

For the House:

MATH DAHL,
D. C. CUNNINGHAM,
F. D. HURD.

Senator Stucke moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Stucke moved that the rules be suspended and that Senate Bill No. 1, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 1. 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 second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by Conference Committee, the roll was called and there were ayes, 30; nays, 8; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Johnson	Miklethun
Coffey	Jones	Mutchler
Crandall	Kamrath	Nelson, Barnes
Drew	Kolpin	Owings
Eastgate	Kroeber	Peterson
Erickson	Lemke	Stucke
Ettestad	Lind	Thorson
Greene, Cavalier	Lynn	Topp
Gronvold	Marshall	Trovatten
Handley	McDonald	Vinje

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Nelson, Grand Fks.	Whelan
Cain	Strehlow	Young
McGillic	Watt	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brostuen	Fredrickson	Thatcher
Dubay	Greene, Stutsman	Trout
Fine	Lowe	Wog
Fowler	Matthaei	

So the bill passed and the title was agreed to.

Senator Thorson moved that the vote by which Senate Bill No. 1 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the

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Senate has adopted the report of the Conference Committee on Senate Bill No. 1.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 18 and the President has appointed as a Conference Committee: Senators Fredrickson, Watt and Stucke.

And on Senate Bill No. 74: Senators Whelan, Watt and Fowler.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Johnson moved that the Senate do concur in the House amendments to Senate Bill No. 195.

Which motion prevailed.

Senator Johnson moved that the rules be suspended and that Senate Bill No. 195, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 195. A Bill for an Act to Amend and Re-enact Sections 3, 5, 7, 8, and 11 of the Initiated Measure Entitled "An Act Providing for the Manufacture and Sale, Within the State, of Beer, as Defined by the Congress of the United States, Making Regulations Under Which the Same May Be Done, Providing a Revenue Therefrom, and Repealing Senate Bill No. 263, Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Other Acts or Parts of Acts in Conflict With the Provisions of This Act," Approved by the People of the State of North Dakota at the Special Election Held on the 22nd Day of September, 1933, Relating to the Manufacture and Sale of Beer, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by the House, the roll was called and there were ayes, 30; nays, 11; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.
Bonzer

Messrs.
Kolpin

Messrs.
Strehlow

Messrs.	Messrs.	Messrs.
Coffey	Kroeber	Stucke
Crandall	Lemke	Thorson
Drew	Lind	Topp
Dubay	Lowe	Trovatten
Ettestad	Lynn	Vinje
Fine	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Gronvold	Nelson, Barnes	Young
Jones	Nelson, Grand Fks.	
Kamrath	Owings	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Braaten	Handley	Peterson
Cain	Johnson	Thatcher
Eastgate	Marshall	Watt
Erickson	Miklethun	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brostuen	Greene, Stutsman	Mutchler
Fowler	Matthaei	Trout
Fredrickson		

So the bill passed and the title was agreed to.

Senator Stucke moved that the vote by which Senate Bill No. 195 was passed be reconsidered.

Which motion prevailed.

Senator Stucke moved that action on Senate Bill No. 195 be deferred.

Which motion prevailed.

Senator Bonzer moved that the Senate do concur in the House amendments to Senate Bill No. 22.

Which motion prevailed.

Senator Stucke moved that the rules be suspended and that Senate Bill No. 22 be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 22. A Bill for an Act Making an Appropriation to pay for the General Maintenance, Improvements and Repairs, Lignite Testing, Clay Testing, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by the House, the roll was called and there were ayes, 44; nays, 0; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Johnson	Owings
Brostuen	Jones	Peterson
Cain	Kamrath	Strehlow
Coffey	Kolpin	Stucke
Crandall	Kroeber	Thatcher
Drew	Lemke	Thorson
Dubay	Lind	Topp
Eastgate	Lynn	Trovatten
Erickson	Marshall	Vinje
Ettestad	McDonald	Watt
Fine	McGillic	Whelan
Greene, Cavalier	Miklethun	Wog
Greene, Stutsman	Mutchler	Young
Gronvold	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fowler	Lowe	Trout
Fredrickson	Matthaei	

So the bill passed and the title was agreed to.

Senator Braaten moved that the vote by which Senate Bill No. 22 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 22.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Wog moved that the Senate do concur in the House amendments to Senate Bill No. 225.

Which motion prevailed.

Senator Wog moved that the rules be suspended and that Senate Bill No. 225, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 225. A Bill for an Act to Provide for the Incorporation of Cooperative Grazing Associations to Aid in

the Conservation, Restoration, Improvement, Development and Utilization of Forage Resources in the State of North Dakota; to Authorize Such Associations to Lease County, State, Federal, or Other Lands for Such Purposes, and to Create Grazing Districts, and to Provide for the Management and Use of Such Lands Which Will Best Conserve, Restore, Improve and Develop the Forage Value Thereof.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by the House, the roll was called and there were ayes, 40; nays, 0; absent and not voting, 9.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Jones	Nelson, Grand Fks.
Coffey	Kamrath	Owings
Crandall	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lemke	Stucke
Eastgate	Lind	Thatcher
Erickson	Lynn	Thorson
Ettestad	Marshall	Topp
Fine	McDonald	Trovatten
Greene, Cavalier	McGillic	Vinje
Greene, Stutsman	Miklethun	Whelan
Gronvold	Mutchler	Wog
Handley	Nelson, Barnes	Young
Johnson		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Braaten	Fowler	Matthaei
Brostuen	Fredrickson	Trout
Cain	Lowe	Watt

So the bill passed and the title was agreed to.

Senator Wog moved that the vote by which Senate Bill No. 225 was passed be reconsidered and the motion to reconsider be laid on the table.

Senator Stucke moved that the Senate do concur in the House amendments to Senate Bill No. 150.

Which motion prevailed.

Senator Stucke moved that the rules be suspended and that Senate Bill No. 150, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 150. A Bill for an Act Empowering the State Historical Society to Acquire Lands for State Parks, State Monuments, and State Recreation Reserves, to Supervise, Control and Maintain Such State Parks, State Monu-

ments, and State Recreation Reserves, Providing for the Appointment of a State Parks Committee, and Making an Appropriation Therefor.

Was read the second time.

ROLL CALL

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, 0; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Brostuen	Jones	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Strehlow
Drew	Kroeber	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lind	Thorson
Erickson	Lynn	Topp
Ettestad	Marshall	Vinje
Greene, Cavalier	McDonald	Whelan
Greene, Stutsman	Miklethun	Wog
Gronvold	Mutchler	Young
Handley	Nelson, Barnes	
Johnson	Nelson, Grand F'ks.	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Fowler	McGillic
Braaten	Fredrickson	Trout
Cain	Lowe	Trovatten
Fine	Matthaei	Watt

So the bill passed and the title was agreed to.

Senator Dubay moved that the vote by which Senate Bill No. 150 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Cain moved that the Senate reconsider the vote by which it refused to concur in the House amendments to Senate Bill No. 18.

Which motion prevailed.

Senator Watt moved that Senate Bill No. 18 be returned to the House for correction.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return herewith Senate

Bill No. 18. The Senate requests that the House correct the amendments made by the House and when so corrected return the same to the Senate.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Bonzer moved that the Senate do not concur in the House amendments to Senate Bill No. 264, and that a conference committee be appointed.

Which motion prevailed.

Senator Bonzer moved that the Senate do not concur in the House amendments to Senate Bill No. 260 and that a conference committee be appointed.

Which motion prevailed.

Senator Bonzer moved that the Senate do concur in the House amendments to Senate Bill No. 29.

Which motion prevailed.

Senator Bonzer moved that the rules be suspended and that Senate Bill No. 29 be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 29. A Bill for an Act Providing for the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees; and to Repeal All Acts or Parts of Acts in Conflict Herewith, Including Sections 910-916, Inclusive, Compiled Laws 1913 and Chapter 137 of the Session Laws of the Year 1927 and Chapter 123 of the Session Laws of the Year 1929.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by the House, the roll was called and there were ayes, 31; nays, 6; absent and not voting, 12.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kroeber	Peterson
Braaten	Lemke	Stucke
Cain	Lind	Thatcher
Drew	Lynn	Thorson
Eastgate	Marshall	Topp
Erickson	McDonald	Vinje
Greene, Cavalier	Mutchler	Watt
Gronvold	Nelson, Barnes	Whelan

Messrs.	Messrs.	Messrs.
Handley	Nelson, Grand Fks.	Wog
Kamrath	Owings	Young
Kolpin		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Dubay	Johnson
Coffey	Ettestad	Strehlow
Crandall		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Fine	Jones	Miklethun
Fowler	Lowe	Trout
Fredrickson	Matthaei	Trovatten
Greene, Stutsman	McGillie	

So the bill passed and the title was agreed to.

Senator Bonzer moved that the vote by which Senate Bill No. 29 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

The President announced the appointment of Senators Watt, Bonzer and Erickson as the Senate Conference Committee on Senate Bills Nos. 260 and 264.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 260 and the President has appointed as a Conference Committee: Senators Watt, Bonzer and Erickson.

Also refused to concur in the House amendments on Senate Bill No. 264 and the President has appointed as a Conference Committee: Senators Watt, Bonzer and Erickson.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Owings moved that the Senate do concur in the House amendments to Senate Bill No. 198.

Which motion prevailed.

Senator Owings moved that the rules be suspended and that Senate Bill No. 198 be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 198. A Bill for an Act Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by the House, the roll was called and there were ayes, 30; nays, 3; absent and not voting, 16.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Kolpin	Peterson
Cain	Kroeber	Strehlow
Coffey	Lemke	Stucke
Crandall	Lind	Thatcher
Drew	Lynn	Thorson
Dubay	Marshall	Topp
Erickson	Miklethun	Vinje
Ettestad	Mutchler	Watt
Johnson	Nelson, Barnes	Wog
Kamrath	Owings	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Eastgate	Gronvold	Nelson, Grand Fks

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Stutsman	McDonald
Brostuen	Handley	McGillic
Fine	Jones	Trout
Fowler	Lowe	Trovatten
Fredrickson	Matthaei	Whelan
Greene, Cavalier		

So the bill passed and the title was agreed to.

Senator Owings moved that the vote by which Senate Bill No. 198 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 29.

Also concurs in House amendments to Senate Bill No. 198.

Very respectfully,

F. E. TUNELL,
Secretary.

President pro tem. Marshall called Senator Owings to the chair to preside.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 96. A Bill for an Act to Amend and Re-enact Sections 189b1 and 189b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and to Amend and Re-enact Sections 189b3, 189b5, 189b7, 189b8, 189b9, 189b10, 189b11, 189b12, 189b13, 189b15, 189b21, 189b25, and 189b29 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota as Amended and Re-enacted by Chapter 170 of the 1931 Session Laws of North Dakota, and as Amended and Re-enacted by Sections 1, 2, 3, 4, 5, 7, 10, 11, 12, 15, 17, and 18 of Chapter 137 of the 1933 Session Laws of North Dakota, and Section 10 of Chapter 170 of the 1931 Session Laws of the State of North Dakota, Repealing All Acts or Parts of Acts in Conflict Herewith; Relating to State Hail Insurance, Providing for Insuring Crops Against Loss by Hail, Defining Duties of the Assessors; Providing for Collections of Taxes, Fixing Amounts and Providing for Adjustment of Claims of Indemnity; and Abatement of Hail Indemnity Tax and Correction of Records and Declaring an Emergency.

Which the House has postponed.

Also return:

Senate Bill No. 185. A Bill for an Act Defining the Jurisdiction of Police Magistrates and City Justices of the Peace in Criminal Actions in Cities of Five Thousand Inhabitants or More in Counties Wherein the County Court Does Not Have Increased Jurisdiction; Qualifications and Fees of Said Police Magistrate and City Justices of the Peace; Procedure, Jurors and Officers in Said Police Magistrate Courts and Courts of Said City Justices of the Peace; Limitations of Jurisdiction of Justices of the Peace in Said Cities; and Repealing All Acts and Parts of Acts in Conflict Therewith.

Which the House has passed unchanged.

Also transmit :

HOUSE CONCURRENT RESOLUTION A-24

Which the House has adopted and your favorable consideration is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Stucke moved that the Senate do concur in the House amendments to Senate Bill No. 280.

Which motion prevailed.

Senator Stucke moved that the rules be suspended and that Senate Bill No. 280 be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 280. A Bill for an Act to Provide for the Establishment of County Debt Adjustment Boards, Prescribing the Duties and Powers of Such Boards and the Duties of the Judges and the Clerks of the District Courts as Regards Such Boards.

Was read the second time.

ROLL CALL

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, 1; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Kamrath	Peterson
Braaten	Kolpin	Strehlow
Cain	Kroeber	Stucke
Crandall	Lemke	Thatcher
Drew	Lind	Thorson
Dubay	Lynn	Topp
Erickson	Marshall	Vinje
Ettestad	Matthaei	Watt
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Mutchler	Wog
Gronvold	Nelson, Barnes	Young
Johnson	Owings	

Those voting in the negative were:

Messrs.
Eastgate

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brostuen	Handley	McGillic
Coffey	Jones	Nelson, Grand Fks.
Fine	Lowe	Trout
Fowler	McDonald	Trovatten
Greene, Stutsman		

So the bill passed and the title was agreed to.

Senator Dubay moved that the vote by which Senate Bill No. 280 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Erickson moved that the Senate do not concur in the House amendments to Senate Bill No. 189, and that a Conference Committee be appointed.

Which motion prevailed.

Senator Cain moved that Senate Bill No. 185 be returned to the House for the purpose of having the amendment of the House inserted and reconsider the Bill.

Which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return herewith Senate Bill No. 185 for the purpose of having the House amendment inserted and the Bill reconsidered and passed and returned to the Senate.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 280.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Whelan asked unanimous consent to return to the Fifth Order of Business.

Which request was granted.

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 CONCURRENT RESOLUTION "A-m"

Employment of Fred Tunell and Walter S. Martin to Index the Journal of the 24th Legislative Assembly, and Specifying Fee Therefor.

Also,

SENATE CONCURRENT RESOLUTION "A-k"

Instructing the Board of Administration and a Committee Composed of the Governor, Attorney General and Superintendent of Public Instruction to Make a Study of the Feasibility of Either Consolidating or Closing Some of the State Institutions.

Also,

Senate Bill No. 161. A Bill for an Act Providing for the Regulation of Dealers in Livestock and Poultry, and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Records Required of Dealer; Feeding, Watering and Weighing; Acts of Deceit, Fraud or Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act, and, Repealing all of Chapter 7 of the Session Laws of the State of North Dakota for the Year 1933; and Repealing all Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Also,

SENATE RESOLUTION A-o

Employment of Norma Wetzstein, R. T. Wood, E. A. Patterson, Chester Hamilton, Henry Jacobson, J. C. Goll and Edna Walsh, and Specifying Fees Therefor and Stating Length of Such Employment.

Also,

SENATE RESOLUTION J

Resolution Urging the Agricultural Adjustment Administration to Work Out a Cattle Program.

Also,

SENATE RESOLUTION G

Requesting and Directing Certain State Offices to Prepare and File with Secretary of the Senate List of Employees Under Its Jurisdiction, Supervision and Control, Giving the Name, Office Held and Annual Salary Received.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the

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Speaker has appointed as a Conference Committee to act with a like committee from the Senate on Senate Bills Nos. 260 and 264: Representatives Wolf, Parkinson and Schantz.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 294. A Bill for an Act to Amend and Re-enact Section 2346a11 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 253 of the 1933 Session Laws; Section 2346a20 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 4 of Chapter 253 of the 1933 Session Laws; Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Sub-section 4 of Section 4 of Chapter 283 of the 1931 Session Laws, and Repealing That Portion of Section 2346a46 of the Supplement to the Compiled Laws of 1913 as was Amended and Re-enacted by Paragraph (b) of Sub-section 4 of Section 6 of Chapter 283 of the 1931 Session Laws and Repealing Sub-section 7 of Section 4 of Chapter 283 of the 1931 Session Laws, and Repealing Sub-section 7 of Section 2346a30 of the 1925 Supplement to the Compiled Laws, and All Other Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 289. A Bill for an Act to Amend and Re-enact Section 11100 of the Compiled Laws of the State of North Dakota, Relating to Quorum and Majority Vote of Board Required to Grant Pardon, Providing for the Time of Meetings and Declaring an Emergency.

Also,

Senate Bill No. 304. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Ad-

ministrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing Senate Bill No. 263 Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Acts or Parts of Acts in Conflict with This Act, and Making an Appropriation to Carry Out the Provisions Hereof;" and Declaring an Emergency.

Also,

Senate Bill No. 164. A Bill for an Act to Amend and Re-enact Section 4 (a) of Chapter 166 of the Session Laws of North Dakota for the Year 1929, and to Amend and Re-enact Section 6 of Chapter 189 of the Session Laws of North Dakota for the Year 1931, Being 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; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; 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.

Also,

Senate Bill No. 13. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota, and its Branch Stations.

Also,

Senate Bill No. 23. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief, and for the Right to Possession during the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act.

Also,

Senate Bill No. 311. A Bill for an Act to Authorize Building and Loan Associations to Insure Members' Investments in Federal Savings and Loan Insurance Corporation and to Provide for the Conversion of Building and Loan Associations and Other Home Financing Organizations Into Federal Savings and Loan Associations, Prescribing the Pro-

cedure Therefor, Defining the Results Thereof, and Providing for the Indebtedness of Such Associations, and Declaring an Emergency.

Also,

Senate Bill No. 158. A Bill for an Act to Require Free Correspondence Courses to Be Provided for all North Dakota Children of High School Age.

Also,

Senate Bill No. 123. A Bill for an Act Providing for the Procuring of Coal Mine Licenses from the State Coal Mine Inspector, the Establishment of the State Coal Mining Safety Fund from Such Fees and for the Disbursement Thereof, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and Reporting Thereof to the State Coal Mine Inspector and Commissioner of Agriculture and Labor, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court from Such Order of Revocation, Providing a Penalty for Failure to Comply with the Law, Repealing Sections 3081, 3082, 3083 and 3094 of the Compiled Laws of the State of North Dakota for the Year 1913 and all Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 269. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by "Company G" 1st Regiment North Dakota National Guard Training School, a Corporation, as Mortgagor, to the State of North Dakota, Dated January 25th, 1909, Filed for Record in the Office of the Register of Deeds of Barnes County, North Dakota, on April 9th, 1909, at Two O'Clock, P. M. and Recorded in Book 43 of Mortgages on Page 3, and Covering Lot Sixteen (16) and the North Half (N½) of Lot Seventeen (17) in Block Seventeen (17) of the Original Plat of Valley City, North Dakota.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to transmit herewith the following:

House Concurrent Resolution A-21.

Also,

House Bill No. 42. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Also,

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 140, Session Laws of 1933, Defining Usury.

Also,

House Bill No. 27. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and Magpie Bounty as Provided for by Sections 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

Also,

House Bill No. 48. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes Assessed and Levied for the Year 1933, and All Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partial Cancellation of the Original Amount of Such Taxes.

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 161. A Bill for an Act Providing for the Regulation of Dealers in Livestock, and Defining Who Are Dealers; Oct Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Records Required of Dealer; Feeding, Watering and Weighing; Acts of Deceit, Fraud or Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act, and, Repealing all of Chapter 7 of the Session Laws of the State of North Dakota for the Year 1933; and Repealing all Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Also,

SENATE RESOLUTION "A-O"

Also,

SENATE RESOLUTION "J"

Also,

SENATE RESOLUTION "G"

Also,

SENATE CONCURRENT RESOLUTION "A-M"

Also,

SENATE CONCURRENT RESOLUTION "A-K"

Also,

House Bill No. 48. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes Assessed and Levied for the Year 1933, and All Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partial Cancellation of the Original Amount of Such Taxes.

Also,

House Bill No. 27. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and Magpie Bounty as Provided for by Sections 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

Also,

House Bill No. 107. A Bill for an Act to Amend and Reenact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 140, Session Laws of 1933, Defining Usury.

Also,

HOUSE CONCURRENT RESOLUTION "A-21"

And the President signed the same in the presence of the Senate.

COURTESIES OF THE FLOOR

The courtesies of the floor were extended to the following:

Iver Orvedal, Tunbridge; J. F. Gronvold, F. F. Gronvold, T. T. Kristianson of Rugby; Chas. Ellis, John Westlund, E. A. Braseth, Fred Rolsvig, E. W. Lee, P. A. Oleson, Odin Overby, and Phillip Saumur of Grand Forks; I. J. Moe of Valley City; M. G. Kruse of Kindred.

Senator Bonzer moved that the Senate recess, subject to the call of the Chair.

Which motion prevailed.

The Senate convened pursuant to recess, the President pro tem. Marshall presiding.

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 Resolutions:

SENATE CONCURRENT RESOLUTION A-f

A Concurrent Resolution Condemning Dealing in Futures.

Also,

SENATE CONCURRENT RESOLUTION NO. A-g

A Concurrent Resolution Urging That the Congress of the United States Enact Legislation Providing That the National Government Pay to Each School District Twenty-five Dollars for Each Child Enrolled.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan 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 CONCURRENT RESOLUTION A-f

Also,

SENATE CONCURRENT RESOLUTION A-g

And the President signed the same in the presence of the Senate.

The President pro tem. Marshall called Senator Owings to the chair to preside.

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MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 48. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes Assessed and Levies for the Year 1933, and all Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partial Cancellation of the Original Amount of Such Taxes.

Also,

House Bill No. 27. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and Magpie Bounty as Provided for by Sections 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

Also,

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 140, Session Laws of 1933, Defining Usury.

Also,

HOUSE CONCURRENT RESOLUTION A-21

Which the President has signed.

Very respectfully,

F. E. TUNELL,
Secretary.

President pro tem. Marshall resumed the chair.

Senator Bonzer asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Fowler moved that the House be requested to return House Resolution A-20.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to request you to return House Concurrent Resolution "A-20."

Very respectfully,

F. E. TUNELL,
Secretary.

The President announced the appointment of Senators Fowler, Erickson and Strehlow as the Senate Conference Committee on Senate Bill No. 189.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 37 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 37. A Bill for an Act Making an Appropriation to the Board of Auditors for the Purpose of Carrying out the Provisions of Section 369 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 226, Laws of 1915, and as Amended and Re-enacted by the Initiated Law Approved November 2, 1920, and as Provided for in Chapter 143, Laws of 1923, the Same Being Sections 369 and 369b of the Supplement to the 1913 Compiled Laws of North Dakota, and as Amended and Re-enacted by Chapter 186, Laws of 1933.

Have had the same under consideration and recommend that the same be further amended as follows:

Section 1, line 3, of the engrossed bill, strike out the figures "\$27,500," and insert in lieu thereof the figures "\$30,000.00."

For the Senate:

MAX H. STREHLOW,
W. S. HANDLEY,
JOHN CRANDALL.

For the House:

ARLO E. BEGGS,
A. N. LAVIK,
KARL H. BRUNSDALE.

Senator Strehlow moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Strehlow moved that the rules be suspended and that House Bill No. 37, as amended, be placed upon second reading and final passage.

So the motion prevailed.

House Bill No. 37. A Bill for an Act Making an Appropriation to the Board of Auditors for the Purpose of Carrying out the Provisions of Section 369 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 226, Laws of 1915, and as Amended and Re-enacted by the Initiated Law Approved November 2, 1920, and as Provided for in Chapter 143, Laws of 1923, the Same Being Sections 369 and 369b of the Supplement to the 1913 Compiled Laws of North Dakota, and as Amended and Re-enacted by Chapter 186, Laws of 1933.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by Conference Committee, 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.
Bonzer	Greene, Stutsman	Mutchler
Braaten	Gronvold	Nelson, Barnes
Brostuen	Handley	Nelson, Grand F'ks.
Cain	Johnson	Owings
Coffey	Kamrath	Peterson
Drew	Kolpin	Strehlow
Dubay	Kroeber	Stucke
Eastgate	Lemke	Topp
Erickson	Lind	Vinje
Ettestad	Lowe	Whelan
Fowler	Lynn	Wog
Fredrickson	Marshall	Young
Greene, Cavalier	Miklethun	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Crandall	McDonald	Trout
Fine	McGillic	Trovatten
Jones	Thatcher	Watt
Matthaei	Thorson	

So the bill passed and the title was agreed to.

Senator Dubay moved that the vote by which House Bill No. 37 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the

Senate has adopted the report of the Conference Committee on House Bill No. 37.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

SENATE CONCURRENT RESOLUTION "A-f"

Also,

SENATE CONCURRENT RESOLUTION "A-g"

Also,

Senate Bill No. 161. A Bill for an Act Providing for the Regulation of Dealers in Livestock and Poultry, and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Records Required of Dealer; Feeding, Watering and Weighing; Acts of Deceit, Fraud or Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act, and, Repealing all of Chapter 7 of the Session Laws of the State of North Dakota for the Year 1933; and Repealing all Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Also,

SENATE CONCURRENT RESOLUTION A-o

Also,

SENATE CONCURRENT RESOLUTION A-n

Also,

SENATE CONCURRENT RESOLUTION A-k

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

The Conference Committee on Senate Bill No. 74 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 74. A Bill for an Act to Provide for the Payment of the Expense of Auditing and Examining the Affairs of the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, the Bank of North Dakota, Including the Farm Loan Department, the State Hail Insurance Department, the Workmen's Compensation Bureau of the State of North Dakota, the Office of the Beer Commissioner of the State of North Dakota, the North Dakota State Regulatory Department, and the North Dakota Teachers Insurance and Retirement Fund, by the State Board of Auditors Pursuant to Section 369-b of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 186 of the Laws of 1933, Designating and Appropriating the Funds From Which Such Payment Shall Be Made; Providing for the Procedure for Such Payment; Providing for the Repeal of Any Acts in Conflict Herewith.

Have had the same under consideration and recommend that the same be further amended as follows:

In line 8 of the title of the engrossed bill, after the word "Fund" and before the word "by," insert the following: "and the Highway Department and the Motor Vehicle Department and the Game and Fish Department."

Lines 12 and 13 of the title, strike out the following: "providing for the procedure for such payment," and insert in lieu thereof "Providing for the payment into a special fund."

Section 1, line 1, of said section, strike out all of line 1 after the word and numeral (Section 1.)" and insert in lieu thereof the following: "In order to reimburse the state for the expense of making."

In line 11 of the engrossed bill, Section 1, after the word "Fund," and before the word "immediately," insert the following: "and the Highway Department and the Motor Vehicle Department, and the Game and Fish Department."

Page 2, Section 1, line 2 after the word and comma "Fund," strike out the rest of line and strike out lines 3, 4, 5 and 6.

After line 19 of the engrossed bill, page 2, insert the following lines:

- | | | |
|-----|--|-------------|
| 20. | "The Highway Department and the Motor Vehicle Department | \$3,500.00" |
| 21. | "The Game and Fish Department | 750.00" |

For the Senate:

T. E. WHELAN,
WM. WATT,
A. W. FOWLER.

For the House:

ARLO E. BEGGS,
A. N. LAVIK,
KARL H. BRUNSDALE.

Senator Strehlow moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Fredrickson moved that the rules be suspended and that Senate Bill No. 74, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 74. A Bill for an Act to Provide for the Payment of the Expense of Auditing and Examining the Affairs of the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, the Bank of North Dakota, Including the Farm Loan Department, the State Hail Insurance Department, the Workmen's Compensation Bureau of the State of North Dakota, the Office of the Beer Commissioner of the State of North Dakota, the North Dakota State Regulatory Department, and the North Dakota Teachers Insurance and Retirement Fund, by the State Board of Auditors Pursuant to Section 369-b of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 186 of the Laws of 1933, Designating and Appropriating the Funds From Which Such Payment Shall Be Made; Providing for the Procedure for Such Payment; Providing for the Repeal of Any Acts in Conflict Herewith; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended, by the Conference Committee, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Braaten	Gronvold	Nelson, Barnes
Cain	Handley	Nelson, Grand Fks.
Coffey	Johnson	Owings
Crandall	Kamrath	Peterson
Drew	Kolpin	Stucke
Dubay	Kroeber	Thatcher
Eastgate	Lemke	Thorson
Erickson	Lind	Topp
Ettestad	Lowe	Vinje
Fowler	Lynn	Whelan
Fredrickson	Marshall	Wog
Greene, Cavalier	Mutchler	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Matthaei	Strehlow
Brostuen	McDonald	Trout
Fine	McGillic	Trovatten
Greene, Stutsman	Miklethun	Watt
Jones		

So the bill passed and the title was agreed to.

Senator Thorson moved that the vote by which Senate Bill No. 74 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 74.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator McDonald moved that the vote by which Senate Bill No. 198 was passed be reconsidered.

Which motion prevailed.

Senator McDonald moved that the Senate do not concur in the House amendments to Senate Bill No. 198 and that a Conference Committee be appointed.

Which motion prevailed.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following:

HOUSE CONCURRENT RESOLUTION A-20

Which the Senate has requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Gronvold moved that House Bill No. 27 be placed at the head of the calendar.

Which motion prevailed.

Senator Gronvold moved that the rules be suspended and that House Bill No. 27, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 27. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and

Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and Magpie Bounty as Provided for by Sections 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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.
Braaten	Greene, Stutsman	Mutchler
Brostuen	Gronvold	Nelson, Barnes
Cain	Handley	Nelson, Grand Fks.
Coffey	Johnson	Owings
Crandall	Kamrath	Peterson
Drew	Kolpin	Stucke
Dubay	Kroeber	Thorson
Eastgate	Lemke	Topp
Erickson	Lind	Trovatten
Ettestad	Lowe	Vinje
Fowler	Lynn	Whelan
Fredrickson	Marshall	Wog
Greene, Cavalier	Miklethun	Young

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
McDonald	Strehlow	Thatcher

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Matthaei	Trout
Fine	McGillic	Watt
Jones		

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Gronvold moved that the vote by which House Bill No. 27 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Fowler asked unanimous consent to return to the Seventh Order of Business.

Which request was granted.

Senator Fowler moved that the vote by which House Concurrent Resolution A-20 was lost be reconsidered.

Which motion prevailed.

Senator Fowler moved that House Concurrent Resolution A-20 be amended as follows:

After the word "chairman" in line 10, add the following language:

"Provided, however, that the circumstances surrounding this investigation are peculiar and unusual and the passage of this resolution shall not be taken as a precedent for any future legislative action."

Which motion prevailed.

Senator Fowler moved that the rules be suspended and that House Concurrent Resolution A-20, as amended, be placed upon second reading and final passage.

Which motion prevailed.

ROLL CALL

The question being on the adoption of House Concurrent Resolution A-20, the roll was called and there were ayes, 32; nays, 12; absent and not voting, 5.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Handley	Nelson, Grand Fks.
Braaten	Kamrath	Owings
Cain	Kolpin	Peterson
Drew	Kroeber	Strehlow
Erickson	Lemke	Stucke
Ettestad	Lind	Thatcher
Fine	Marshall	Thorson
Fowler	McDonald	Vinje
Fredrickson	Miklethun	Whelan
Greene, Cavalier	Mutchler	Young
Greene, Stutsman	Nelson, Barnes	

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Crandall	Johnson	Topp
Dubay	Jones	Trovatten
Eastgate	Lowe	Wog
Gronvold	McGillic	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Brostuen	Lynn	Trout
Coffey	Matthaei	Watt

So the resolution was adopted, and the emergency clause declared carried.

Senator Cain moved that the vote by which House Concurrent Resolution "A-20" was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Cain: "Yesterday I voted 'No' and stated my reasons for so doing. Since that time I have talked to the States Attorney of Cass County and to others of Cass County and it appears from what they said that this investigation has so cleared up the situation there that the strike is practically settled this morning. It seems as though considerable good has resulted from the investigation, therefore, at this time I vote Aye."

Senator Drew: "Yesterday I voted against this Resolution for the same reason that the other gentleman stated who just spoke but I too, have had a little information the last three or four hours and as near as I can understand the investigation has been some benefit to the City of Fargo and the State of North Dakota and I therefore vote Aye."

Senator Eastgate: "I have made it a practice all thru my life, when I was trading horses to trade my own horses and when I played penny-ante, to pay my own ante. I voted 'No' on this Resolution yesterday and I am voting 'No' today."

The President announced the appointment of Senators McDonald, McGillic and Vinje as the Senate Conference Committee on Senate Bill No. 198.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has refused to concur in the House amendment to Senate Bill No. 198 and the President has appointed as a Conference Committee, Senators McDonald, McGillic and Vinje.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return:

HOUSE CONCURRENT RESOLUTION "A-20"

Which the Senate has amended as follows:

After the word "chairman," in line 10, add the following language: "Provided, however, that the circumstances surrounding this investigation are peculiar and unusual and the passage of this resolution shall not be taken as a precedent for any future legislative action."

Very respectfully,

F. E. TUNELL,
Secretary.

FRIDAY, MARCH 8, 1935

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MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to House Bill No. 130.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

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. 22. A Bill for an Act Making an Appropriation to pay for the General Maintenance, Improvements and Repairs, Lignite Testing, Clay Testing, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Also,

Senate Bill No. 29. A Bill for an Act Providing for the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees; and to Repeal All Acts or Parts of Acts in Conflict Herewith, Including Sections 910-916, Inclusive, Compiled Laws 1913 and Chapter 137 of the Session Laws of the Year 1927 and Chapter 123 of the Session Laws of the Year 1929.

Also,

Senate Bill No. 150. A Bill for an Act Empowering the State Historical Society to Acquire Lands for State Parks, State Monuments, and State Recreation Reserves, to Supervise, Control and Maintain Such State Parks, State Monuments, and State Recreation Reserves, Providing for the Appointment of a State Parks Committee, and Making an Appropriation Therefor.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

HOUSE CONCURRENT RESOLUTION A-24

Senator Stucke moved that House Concurrent Resolution A-24 be amended as follows:

In line 1, Section 2, strike out the word "Chief Clerk," and insert the word "Secretary."

Which motion prevailed.

Senator Stucke moved that the rules be suspended and that House Concurrent Resolution A-24, as amended, be placed upon second reading and final passage.

Which motion prevailed, and the Resolution was adopted.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return:

HOUSE CONCURRENT RESOLUTION "A-24"

Which the Senate has amended as follows:

In line 1, of Section 2, strike out the words "Chief Clerk," and insert the word "Secretary."

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on House Bill No. 37.

Also, Senate Bill No. 74.

The Speaker has appointed as a new Conference Committee to act with a like Committee from the Senate on Senate Bill No. 198, Representatives Isaak, Jensen and Graham.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Watt moved that the vote by which Senate Bill No. 195 was indefinitely postponed be reconsidered.

Which motion prevailed.

Senator Watt moved that the rules be suspended and that Senate Bill No. 195, as amended, be considered properly re-encrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 195. A Bill for an Act to Amend and Re-enact Sections 3, 5, 7, 8, and 11 of the Initiated Measure Entitled "An Act Providing for the Manufacture and Sale, Within the State, of Beer, as Defined by the Congress of the United States, Making Regulations Under Which the Same May Be Done, Providing a Revenue Therefrom, and Repealing Senate Bill No. 263, Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Other Acts or Parts of Acts in Conflict With the Provisions of This Act," Approved by the People of the State of North Dakota at the Special Election Held on the 22nd Day of September, 1933, Relating to the Manufacture and Sale of Beer, and Declaring an Emergency.

Was read the second time.

ROLL CALL

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, 6; absent and not voting, 1.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Cavalier	Miklethun
Braaten	Greene, Stutsman	Nelson, Barnes
Brostuen	Gronvold	Nelson, Grand Fks.
Cain	Handley	Owings
Coffey	Kamrath	Peterson
Crandall	Kolpin	Stucke
Drew	Lemke	Thatcher
Dubay	Lind	Thorson
Eastgate	Lowe	Topp
Erickson	Lynn	Trovatten
Ettestad	Marshall	Vinje
Fine	Matthaei	Watt
Fowler	McDonald	Whelan
Fredrickson	McGillic	Wog

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Johnson	Kroeber	Strehlow
Jones	Mutchler	Young

Absent and not voting:

Messrs.
Trout

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Watt moved that the vote by which Senate Bill No. 195 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 37.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Matthaei moved that the Senate rescind from previous action taken to withhold action on House Bill No. 7, until House Bill No. 255 and Senate Bill No. 313 had been disposed of and that House Bill No. 7 be placed before the Senate.

Which motion prevailed.

SECOND READING OF HOUSE BILLS

House Bill No. 7. A Bill For an Act to Provide for the Weighing, Grading, Feeding, Docking and Watering of Livestock at Packing Plants, Slaughtering Houses and Concentration Points.

Was read the second time.

Senator Matthaei demanded a call of the Senate.

The call of the Senate was granted.

The roll call revealed all Senators present except Senators Kamrath, Trout and Whelan.

The Sergeant-at-Arms was instructed to bring the absent Senators into the Senate Chamber.

Senator Kamrath returned to the Senate Chamber.

Senator Cain renewed his motion to excuse Senators Trout and Whelan.

Which motion prevailed.

Senator Mutchler moved that the call of the Senate be dispensed with.

Which motion prevailed.

Senator Watt renewed his motion to amend House Bill No.

7. The amendments to be found on pages 52 and 53 of the March 7th Journal.

Senator Watt renewed his demand for a roll call.

ROLL CALL

The question being on the motion of Senator Watt to amend House Bill No. 7, 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.
Bonzer	Erickson	McGillic
Braaten	Ettestad	Mutchler
Cain	Fowler	Nelson, Grand Fks.
Coffey	Gronvold	Strehlow
Crandall	Kroeber	Topp
Drew	Lowe	Vinje
Eastgate	Lynn	Watt

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Brostuen	Kamrath	Owings
Dubay	Kolpin	Peterson
Fine	Lemke	Stucke
Fredrickson	Lind	Thatcher
Greene, Cavalier	Marshall	Thorson
Greene, Stutsman	Matthaei	Trovatten
Handley	McDonald	Wog
Johnson	Miklethun	Young
Jones	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.
Trout	Whelan

Which motion was lost.

House Bill No. 7. A Bill For an Act to Provide for the Weighing, Grading, Feeding, Docking and Watering of Livestock at Packing Plants, Slaughtering Houses and Concentration Points.

Was read the second time.

ROLL CALL

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.
Brostuen	Kolpin	Nelson, Barnes
Drew	Lemke	Owings
Dubay	Lind	Peterson
Fine	Lowe	Strehlow

Messrs.	Messrs.	Messrs.
Fredrickson	Marshall	Stucke
Greene, Stutsman	Matthaei	Thorson
Handley	McDonald	Trovatten
Johnson	McGillic	Wog
Jones	Miklethun	Young
Kamrath		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Bonzer	Ettestad	Mutchler
Braaten	Fowler	Nelson, Grand Fks.
Cain	Greene, Cavalier	Thatcher
Coffey	Gronvold	Topp
Crandall	Kroeber	Vinje
Eastgate	Lynn	Watt
Erickson		

Absent and not voting:

Messrs.	Messrs.
Trout	Whelan

So the bill passed and the title was agreed to.

Senator Miklethun moved that the vote by which House Bill No. 7 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

Senator Bonzer: "Inasmuch as the amendments were not adopted which would give the farmers the same benefits on the passage of this bill and save the livestock producers approximately \$75,000, I am going to vote 'no'."

Senator Cain: "It seems to me that the amendments offered by Senator Watt were fair and would give the farmers everything that this other bill could give, at much less expense to the State, therefore, I vote 'no'."

Senator Erickson: "I am going to explain my vote on this bill. I am voting 'no' on this bill because it is an attempt to compel me, as a farmer, to have my cattle graded in spite of my own wish.

"I am voting 'no' for the further reason that I think this bill, if it becomes a law, will force several hundred working men and women out of work.

"I am voting 'no' for the further reason that I think this bill in conjunction with the anti-feeder bill passed last week, will make it impossible for the two packing plants in the State to remain open.

"I am voting 'no' for the further reason that I have information I believe to be reliable that two members at the head of the Farmers Union offered two years ago to have this same bill killed if the Farmers Union could put in a commission firm at Fargo and have things so arranged that all

stock coming to Fargo would have to be sold through this Farmers Union commission firm.

"I am voting 'no' for the further reason that South St. Paul commission men have been so active lobbying for this bill that I cannot believe it is to the best interest of North Dakota.

"I am voting 'no' for the further reason that I believe, that should this bill become law, Armour and Company will cut their slaughter to less than the 250 head mentioned in this bill, which would force the shipper to ship to South St. Paul, which I believe is the object of this bill. For the above reasons, I vote 'no'."

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return herewith the following bill:

House Bill No. 7. A Bill For an Act to Provide for the Weighing, Grading, Feeding, Docking and Watering of Live-stock at Packing Plants, Slaughtering Houses and Concentration Points.

Which the Senate has passed unchanged.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following:

SENATE CONCURRENT RESOLUTION "A-n"

Which the House has adopted unchanged.

Also return:

Senate Bill No. 18. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

Also,

Senate Bill No. 185. A Bill for an Act Defining the Jurisdiction of Police Magistrates and City Justices of the Peace in Criminal Actions in Cities of Five Thousand Inhabitants or More in Counties Wherein the County Court Does Not Have

Increased Jurisdiction; Qualifications and Fees of Said Police Magistrate and City Justices of the Peace; Procedure, Jurors and Officers in Said Police Magistrate Courts and Courts of Said City Justices of the Peace; Limitations of Jurisdiction of Justices of the Peace in Said Cities; and Repealing All Acts and Parts of Acts in Conflict Therewith.

Which the House has amended.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the House has concurred in the Senate amendment to:

HOUSE CONCURRENT RESOLUTION "A-24"

Also,

HOUSE CONCURRENT RESOLUTION "A-20"

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Brostuen asked unanimous consent to return to the Sixth Order of Business.

Which request was granted.

REPORT OF SELECT COMMITTEES

The Conference Committee on House Bill No. 255 made the following report:

Mr. President: Your Conference Committee to whom was referred:

House Bill No. 255. A Bill for an Act to Amend and Re-establish the State Equalization Fund for the Common Schools of the State; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of That Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; Repealing All Acts in Conflict Herewith.

Have had the same under consideration and recommend: That the House accepts the Senate amendments, and

That the same be further amended as follows: In Section 4, page 5, of the engrossed Bill, line 6, strike out the figures "\$125.00" and insert in lieu thereof the figures "\$175.00."

Strike out all of Section 10 and renumber Section 11 to read Section 10.

For the Senate:

C. W. FINE,
E. E. GREENE,
J. K. BROSTUEN.

For the House:

E. A. CHILD,
R. R. SCHOLL,
EDWIN TRAYNOR.

Senator Fine moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Fine moved that the rules be suspended and that House Bill No. 255, as amended, be placed upon second reading and final passage.

Which motion prevailed.

House Bill No. 255. A Bill for an Act to Amend and Re-establish the State Equalization Fund for the Common Schools of the State; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of That Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; Repealing All Acts in Conflict Herewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by Senate and Conference Committee, 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.
Bonzer	Greene, Stutsman	Mutchler
Braaten	Gronvold	Nelson, Barnes
Brostuen	Handley	Nelson, Grand Fks.
Cain	Johnson	Owings
Coffey	Jones	Peterson
Crandall	Kamrath	Strehlow
Drew	Kolpin	Stucke
Dubay	Kroeber	Thatcher
Eastgate	Lemke	Thorson
Erickson	Lind	Topp
Ettestad	Lowe	Watt
Fine	Lynn	Whelan
Fowler	Marshall	Wog
Fredrickson	Miklethun	Young
Greene, Cavalier		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Matthaei	McGillic	Trovatten
McDonald	Trout	Vinje

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Greene of Stutsman moved that the vote by which House Bill No. 255 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on House Bill No. 255, and return House Bill No. 255 herewith, which was passed by the Senate as amended by the Conference Committee.

Very respectfully,

F. E. TUNELL,
Secretary.

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the President has appointed as a new Conference Committee, on Senate Bill No. 189, Senators Fowler, Erickson and Strehlow.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Brostuen requested that Senate Bill No. 313 be placed before the Senate.

Which request was granted.

REPORT OF CONFERENCE COMMITTEE

The Conference Committee on Senate Bill No. 313 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 313. A Bill for an Act to equalize taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to be Used for such Replacement by Imposing a Tax on the Gross Receipts From Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; to Make an Appropriation for the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal all Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

Have had the same under consideration and recommend as follows:

1. That the House recede from its amendments to said bill.

2. That said bill be amended by striking out all of Section 25, following the words "as follows:" of the engrossed bill, in Line 8, and inserting in lieu thereof the following:

"(a) The State Board of Equalization is authorized, directed, empowered and required, at any regular or special meeting, from time to time, to transfer into "The State Public Welfare Fund," created and established by House Bill 338, pending in this legislative session, the sum of \$500,000.00 per annum to be expended for the relief of destitute or necessitous persons, in coordination with and supplementary to the funds made available for expenditure for like purposes in North Dakota from funds made available by Congress and allocated by the Federal Emergency Relief Administrator and/or other Federal agencies. Such monies may be expended either in the form of direct or work relief. The said State Board of Equalization is further authorized, directed and empowered to transfer into The State Public Welfare Fund the further sum of \$100,000.00 per annum, or so much thereof as in the opinion of the said State Board of Equalization may be necessary, to be expended for mothers' aid or pension and/or old age or blind pension or assistance in coordination with Federal funds as above set forth.

(b) The State Board of Equalization is hereby further directed, empowered and required, at any regular or special meeting, from time to time, to transfer from said "Retail Sales Tax Fund" to the State Equalization Fund, created by House Bill 255, pending in this legislative session, the sum of \$700,000 for the year 1935 and the sum of \$1,950,000 for the year 1936.

(c) Said State Board of Equalization is further authorized, directed and empowered, at any regular or special meeting, from time to time, to transfer into the General Fund of the State such portions of said "Retail Sales Tax Fund" as, in the opinion of said Board, are not required for carrying out the provisions of subdivisions (a) (b) of this Section, to be used by said State Board of Equalization in replacement and reduction of such of the levies for general state purposes as said Board may deem just and proper."

For the Senate:

J. K. BROSTUEN,
A. W. FOWLER,
WM. J. LOWE.

For the House:

E. A. CHILD,
R. R. SCHOLL,
EDWIN TRAYNOR.

Senator Brostuen moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Brostuen moved that the rules be suspended and that Senate Bill No. 313, as amended, be considered properly

re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 313. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; to Make an Appropriation for the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by Conference Committee, 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.
Bonzer	Greene, Cavalier	Nelson, Barnes
Braaten	Gronvold	Nelson, Grand Fks.
Brostuen	Handley	Owings
Cain	Jones	Peterson
Coffey	Kamrath	Strehlow
Crandall	Kolpin	Stucke
Drew	Kroeber	Thatcher
Dubay	Lemke	Topp
Eastgate	Lynn	Watt
Erickson	Marshall	Whelan
Ettestad	Miklethun	Wog
Fowler	Mutchler	Young
Fredrickson		

Those voting in the negative were:

Messrs.	Messrs.	Messrs.
Fine	Johnson	Lowe
Greene, Stutsman	Lind	Thorson

Absent and not voting:

Messrs.	Messrs.	Messrs.
Matthaei	McGillic	Trovatten
McDonald	Trout	Vinje

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Dubay moved that the vote by which Senate Bill No. 313 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

FRIDAY, MARCH 8, 1935

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MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 313.

Also, House Bill No. 255.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 313.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Cain requested that Senate Bill No. 185 be placed before the Senate.

Which request was granted.

Senator Cain moved that the Senate do concur in the House amendments to Senate Bill No. 185.

Which motion prevailed.

Senator Cain moved that the rules be suspended and that Senate Bill No. 185, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

SECOND READING OF SENATE BILLS

Senate Bill No. 185. A Bill for an Act Defining the Jurisdiction of Police Magistrates and City Justices of the Peace in Criminal Actions in Cities of Five Thousand Inhabitants or More in Counties Wherein the County Court Does Not Have Increased Jurisdiction; Qualifications and Fees of Said Police Magistrate and City Justices of the Peace; Procedure, Jurors and Officers in Said Police Magistrate Courts and Courts of Said City Justices of the Peace; Limitations of Jurisdiction of Justices of the Peace in Said Cities; and Repealing All Acts and Parts of Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

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, 1; absent and not voting, 8.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Greene, Cavalier	Mutchler
Braaten	Greene, Stutsman	Nelson, Barnes
Brostuen	Gronvold	Nelson, Grand Fks.
Cain	Johnson	Owings
Coffey	Jones	Peterson
Crandall	Kamrath	Strehlow
Drew	Kolpin	Stucke
Dubay	Lemke	Thatcher
Eastgate	Lind	Topp
Erickson	Lowe	Watt
Ettestad	Lynn	Wog
Fine	Marshall	Young
Fowler	Matthaei	
Fredrickson	Miklethun	

Those voting in the negative were:

Messrs.
Kroeber

Absent and not voting:

Messrs.	Messrs.	Messrs.
Handley	Thorson	Vinje
McDonald	Trout	Whelan
McGillic	Trovatten	

So the bill passed and the title was agreed to, and the emergency clause was declared carried.

Senator Dubay 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.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 185.

Very respectfully,

F. E. TUNELL,
Secretary.

REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 264 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 264. A Bill for an Act Relating to Licensing of Motor Vehicle Operators and Chauffeurs and to the Liability of Certain Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fee to be Paid; Providing for Examination of Applicant; Providing for Suspension or Revocation of License; Making Disposition of Fees Collected; Providing for Penalty for Violating Act; Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Have had the same under consideration and recommend:

In Section 16, line 18, after the word "received," insert the following language: "or so much thereof as is necessary."

In Section 16, line 19, strike out the words "General Fund," and insert in lieu thereof "Police Patrol Fund."

For the Senate:

WM. WATT,
O. E. ERICKSON.

For the House:

HOWARD PARKINSON,
WILLIAM M. SCHANTZ,
VAL. P. WOLF.

Senator Bonzer moved that the report be adopted, which motion prevailed, and the report was adopted.

Senator Bonzer moved that the rules be suspended and that Senate Bill No. 264, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 264. A Bill for an Act Relating to Licensing of Motor Vehicle Operators and Chauffeurs and to the Liability of Certain Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fee to be Paid; Providing for Examination of Applicant; Providing for Suspension or Revocation of License; Making Disposition of Fees Collected; Providing for Penalty for Violating Act; Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by House and Conference Committee, the roll was called and there were ayes, 38; nays, 0; absent and not voting, 11.

Those voting in the affirmative were:

Messrs.
Bonzer
Braaten

Messrs.
Jones
Kamrath

Messrs.
Nelson, Barnes
Nelson, Grand Fks.

Messrs.	Messrs.	Messrs.
Brostuen	Kolpin	Owings
Cain	Kroeber	Peterson
Coffey	Lemke	Stucke
Crandall	Lind	Thatcher
Drew	Lynn	Topp
Dubay	Marshall	Vinje
Eastgate	Matthaei	Watt
Fredrickson	McDonald	Whelan
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Miklethun	Young
Gronvold	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Handley	Thorson
Ettestad	Johnson	Trout
Fine	Lowe	Trovatten
Fowler	Strehlow	

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Bonzer moved that the vote by which Senate Bill No. 264 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 264.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Fredrickson moved that the Senate do concur in the House amendments to Senate Bill No. 18.

Which motion prevailed.

Senator Fredrickson moved that the rules be suspended and that Senate Bill No. 18, as amended, be considered properly re-engrossed and placed upon second reading and 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 for the Tuberculosis Sanatorium at San Haven, North Dakota.

Was read the second time.

ROLL CALL

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, 0; absent and not voting, 14.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Nelson, Barnes
Braaten	Jones	Nelson, Grand Fks.
Brostuen	Kamrath	Owings
Cain	Kolpin	Peterson
Coffey	Kroeber	Stucke
Crandall	Lemke	Thatcher
Drew	Lind	Topp
Dubay	Lynn	Vinje
Eastgate	Marshall	Watt
Fredrickson	McGillic	Whelan
Greene, Cavalier	Miklethun	Young
Greene, Stutsman	Mutchler	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Johnson	Thorson
Ettestad	Lowe	Trout
Fine	Matthaei	Trovatten
Fowler	McDonald	Wog
Handley	Strehlow	

So the bill passed and the title was agreed to.

Senator Fredrickson moved that the vote by which Senate Bill No. 18 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 18.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the

House has adopted the report of the Conference Committee on Senate Bill No. 264.

Also,

Senate Bill No. 260.

Also,

The Speaker has appointed as a new Conference Committee to act with a like committee from the Senate, on Senate Bill No. 189, Representatives Twichell, Blaisdell and Aljets.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 260 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 260. A Bill for an Act Creating a State Highway Patrol for the State of North Dakota; Authorizing the Attorney General to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Amending Chapter 102 of the Session Laws of North Dakota for the Year 1933 Relating to Bureau of Criminal Identification; Fixing Compensation and Providing for Disposition of Fines Collected; and Declaring an Emergency.

Have had the same under consideration and recommend that the same be amended as follows:

Wherever the words "Regulatory Department" appears, change to read "Highway Department," and wherever the words "Regulatory Officer" appears, change to read "Highway Commissioner."

In Section 1, line 6, strike out the semi-colon and insert a comma and the following language: "who shall also be a motor patrolman."

In Section 2, line 14, strike out the comma after the word "state," and insert a period in lieu thereof, and strike out all the rest of line 14, all of line 15, and all of line 16.

In Section 7, line 3, after the word "five," insert the following language: "nor more than forty-five."

For the Senate:

WM. WATT,
O. E. ERICKSON.

For the House:

HOWARD PARKINSON,
WILLIAM M. SCHANTZ,
VAL. P. WOLF.

Senator Watt moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Watt moved that the rules be suspended and that Senate Bill No. 260, as amended, be considered properly re-engrossed, and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 260. A Bill for an Act Creating a State Highway Patrol for the State of North Dakota; Authorizing the Attorney General to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Amending Chapter 102 of the Session Laws of North Dakota for the Year 1933 Relating to Bureau of Criminal Identification; Fixing Compensation and Providing for Disposition of Fines Collected; and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by the Conference Committee, the roll was called and there were ayes, 36; nays, 0; absent and not voting, 13.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Mutchler
Braaten	Johnson	Nelson, Barnes
Brostuen	Jones	Nelson, Grand Fks.
Cain	Kamrath	Owings
Coffey	Kolpin	Peterson
Crandall	Kroeber	Stucke
Drew	Lemke	Thatcher
Dubay	Lynn	Thorson
Eastgate	Marshall	Topp
Fredrickson	McDonald	Vinje
Greene, Cavalier	McGillic	Watt
Greene, Stutsman	Miklethun	Young

Absent and not voting:

Messrs.	Messrs.	Messrs.
Erickson	Lind	Trout
Ettestad	Lowe	Trovatten
Fine	Matthaei	Whelan
Fowler	Strehlow	Wog
Handley		

So the bill passed and the title was agreed to, and the emergency clause declared carried.

Senator Bonzer 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.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 260.

Very respectfully,

F. E. TUNELL,
Secretary.

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. 88. A Bill for an Act to Amend and Re-enact Subdivision (e) of Section 1 of Chapter 161, Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

Senate Bill No. 156. A Bill for an Act to Amend and Re-enact Sub-division (d) of Chapter 188 of the Session Laws of 1931, Relating to Regulations of Motor Vehicle Transportation, and Declaring an Emergency.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan 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. 88. A Bill for an Act to Amend and Re-enact Subdivision (e) of Section 1 of Chapter 161, Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

Senate Bill No. 156. A Bill for an Act to Amend and Re-enact Sub-division (d) of Section 1 of Chapter 188 of the Session Laws of 1931, Relating to Regulations of Motor Vehicle Transportation, and Declaring an Emergency.

Also,

Senate Bill No. 22. A Bill for an Act Making an Appropriation to pay for the General Maintenance, Improvements and Repairs, Lignite Testing, Clay Testing, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Also,

Senate Bill No. 29. A Bill for an Act Providing for the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees; and to Repeal All Acts or Parts of Acts in Conflict Herewith, Including Sections 910-916, Inclusive, Compiled Laws 1913 and Chapter 137 of the Session Laws of the Year 1927 and Chapter 123 of the Session Laws of the Year 1929.

Also,

Senate Bill No. 150. A Bill for an Act Empowering the State Historical Society to Acquire Lands for State Parks, State Monuments, and State Recreation Reserves, to Supervise, Control and Maintain Such State Parks, State Monuments, and State Recreation Reserves, Providing for the Appointment of a State Parks Committee, and Making an Appropriation Therefor.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Subdivision (e) of Section 1 of Chapter 161, Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

Senate Bill No. 156. A Bill for an Act to Amend and Re-enact Sub-division (d) of Section 1 of Chapter 188 of the Session Laws of 1931, Relating to Regulations of Motor Vehicle Transportation, and Declaring an Emergency.

Also,

Senate Bill No. 22. A Bill for an Act Making an Appropriation to pay for the General Maintenance, Improvements and Repairs, Lignite Testing, Clay Testing, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Also,

Senate Bill No. 29. A Bill for an Act Providing for the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees; and to Repeal All Acts or Parts of Acts in Conflict Herewith, Including Sections 910-916, Inclusive, Compiled Laws 1913 and Chapter 137 of the Session Laws of the Year 1927 and Chapter 123 of the Session Laws of the Year 1929.

Also,

Senate Bill No. 150. A Bill for an Act Empowering the State Historical Society to Acquire Lands for State Parks, State Monuments, and State Recreation Reserves, to Supervise, Control and Maintain Such State Parks, State Monuments, and State Recreation Reserves, Providing for the Appointment of a State Parks Committee, and Making an Appropriation Therefor.

Which the President signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 198 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 198. A Bill for an Act Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Have had the same under consideration and recommend that the House recede from its amendments to the same and that the bill be further amended as follows:

In line 4 of Section 1, after the word "day" strike out the words "or more than six days in any one week."

In line 5 of Section 1, strike out the words "forty-eight" and insert in lieu thereof the words "fifty-six."

In line 9 of Section 1, following the word "city" strike out the comma, and insert a period, and strike out the words "and members of the police."

In line 6 of Section 2 of the engrossed bill, after the word "day" strike out the words "or more than six days in any one week."

In line 7 of Section 2, strike out the words "forty-eight" and insert in lieu thereof the words "fifty-six."

And when so amended recommend that the bill do pass.

For the Senate:

S. S. McDONALD,
J. S. McGILLIC,
SYVER VINJE.

For the House

NELS P. JENSEN,
GOTTLEIB ISAAK,
M. D. GRAHAM.

Senator McDonald moved that the report be adopted, which motion prevailed and the report was adopted.

Senator McDonald moved that the rules be suspended and that Senate Bill No. 198, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 198. A Bill for an Act Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by Conference Committee, 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.
Bonzer	Jones	Nelson, Grand Fka.
Brostuen	Kamrath	Owings
Cain	Kolpin	Peterson
Crandall	Kroeber	Strehlow
Drew	Lemke	Thatcher
Dubay	Lind	Topp
Fine	Lowe	Vinje
Fowler	Marshall	Watt
Greene, Cavalier	McDonald	Whelan
Greene, Stutsman	McGillic	Wog
Gronvold	Mutchler	Young
Handley	Nelson, Barnes	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Braaten	Fredrickson	Stucke
Coffey	Johnson	Thorson
Eastgate	Lynn	Trout
Erickson	Matthaei	Trovatten
Ettestad	Miklethun	

So the bill passed and the title was agreed to.

Senator McDonald moved that the vote by which Senate Bill No. 198 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 198.

Very respectfully,

F. E. TUNELL,
Secretary.

PETITIONS AND COMMUNICATIONS

Certain members of the Senate and various other citizens of our state have contributed to a fund to purchase a portrait of President Franklin Delano Roosevelt, said photograph to be presented to the State.

The painting has been done by North Dakota's premier artist, and is a faithful representation of the President as he is today. The likeness is from a drawing by a famous artist and was selected by Mrs. Roosevelt and given to Artist Guliksen as her favorite picture of the President.

It is well that we pause occasionally to consider the important things of life other than those activities connected with our every day affairs. We believe this gesture today not only honors the man we love, for his sterling qualities of courage, his clean life and broad statesmanship, but takes into account our desire to pass on to future generations something that betokens the respect we, in our day, pay to every man who occupies the Presidency of this broad country of ours.

Such a work of art as we present today is in keeping with the dignity and beauty of this splendid new Capitol. Thirty centuries, I'm told, should not efface this likeness from its canvass.

May the years to come write the record of this man's life in the history of our times as one who serves his country and all mankind.

Upon behalf of the donors to this fund, I have the pleasure in presenting to the State of North Dakota, this photograph.

N. N. NELSON.

Senator Nelson of Grand Forks moved that the communication be read from the desk and printed in the Journal.

Which motion prevailed.

FRIDAY, MARCH 8, 1935

1711

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the House requests the return of Senate Bill No. 120.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Cain moved that the Senate grant the request of the House for the return of Senate Bill No. 120.

Which motion prevailed.

MESSAGES TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to return Senate Bill No. 120 which the House has requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Whelan asked unanimous consent to return to the Fifth Order of Business.

Which request was granted.

SENATE COMMITTEE ON ENROLLMENT AND
ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 13. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the Experiment Station at the Agricultural College, Fargo, North Dakota, and its Branch Stations.

Also,

Senate Bill No. 23. A Bill for an Act Providing for Relief in Certain Cases During the Emergency Declared to Exist, from Foreclosure of Mortgages or Other Liens on Real Estate, and Execution Sales of Real Estate, and Cancellation of Contracts for the Sale of Real Property, Eviction of Tenants from Real Estate, and for Postponing Certain Sales and Extending the Period of Redemption from Certain Sales, and Relating to the Jurisdiction and Procedure for Such Relief,

and for the Right to Possession during the Extended Period, and Limiting the Right to Emergency Actions for Deficiency Judgment, and for Extending the Expiration of Certain Periods of Redemption to Thirty Days After the Passage of This Act.

Also,

Senate Bill No. 123. A Bill for an Act Providing for the Procuring of Coal Mine Licenses from the State Coal Mine Inspector, the Establishment of the State Coal Mining Safety Fund from Such Fees and for the Disbursement Thereof, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and Reporting Thereof to the State Coal Mine Inspector and Commissioner of Agriculture and Labor, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court from Such Order of Revocation, Providing a Penalty for Failure to Comply with the Law, Repealing Sections 3081, 3082, 3083 and 3084 of the Compiled Laws of the State of North Dakota for the Year 1913 and all Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 304. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing Senate Bill No. 263 Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Acts or Parts of Acts in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof;" and Declaring an Emergency.

Also,

Senate Bill No. 311. A Bill for an Act to Authorize Building and Loan Associations to Insure Members' Investments in Federal Savings and Loan Insurance Corporation and to Provide for the Conversion of Building and Loan Associations and Other Home Financing Organizations Into Fed-

eral Savings and Loan Associations, Prescribing the Procedure Therefor, Defining the Results Thereof, and Providing for the Indebtedness of Such Associations, and Declaring an Emergency.

Also,

Senate Bill No. 289. A Bill for an Act to Amend and Re-enact Section 11100 of the Compiled Laws of the State of North Dakota, Relating to Quorum and Majority Vote of Board Required to Grant Pardon, Providing for the Time of Meetings.

Also,

Senate Bill No. 294. A Bill for an Act to Amend and Re-enact Section 2346a11 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 253 of the 1933 Session Laws; Section 2346a20 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 4 of Chapter 253 of the 1933 Session Laws; Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Sub-section 4 of Section 4 of Chapter 283 of the 1931 Session Laws, Relating to the Taxation of Income of Individuals, Fiduciaries and Corporations; Repealing That Portion of Section 2346a46 of the Supplement to the Compiled Laws of 1913 as was Amended and Re-enacted by Paragraph (b) of Sub-section 4 of Section 6 of Chapter 283 of the 1931 Session Laws and Repealing Sub-section 7 of Section 4 of Chapter 283 of the 1931 Session Laws, and Repealing Sub-section 7 of Section 2346a30 of the 1925 Supplement to the Compiled Laws, and All Other Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Also,

Senate Bill No. 158. A Bill for an Act to Require Free Correspondence Courses to Be Provided for all North Dakota Children of High School Age.

Also,

Senate Bill No. 164. A Bill for an Act to Amend and Re-enact Section 4 (a) of Chapter 166 of the Session Laws of North Dakota for the Year 1929, and to Amend and Re-enact Section 6 of Chapter 189 of the Session Laws of North Dakota for the Year 1931, Being 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; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; 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.

Also,

Senate Bill No. 269. A Bill for an Act Authorizing, Direct-

ing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by "Company G" 1st Regiment North Dakota National Guard Training School, a Corporation, as Mortgagor, to the State of North Dakota, Dated January 25th, 1909, Filed for Record in the Office of the Register of Deeds of Barnes County, North Dakota, on April 9th, 1909, at Two O'Clock, P. M. and Recorded in Book 43 of Mortgages on Page 3, and Covering Lot Sixteen (16) and the North Half (N½) of Lot Seventeen (17) in Block Seventeen (17) of the Original Plat of Valley City, North Dakota.

Were delivered to the Governor for his approval, March 8, 1935.

T. E. WHELAN,
Chairman.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 198.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 120. A Bill for an Act to Amend and Re-enact Section 2 of That Certain Initiated Law Entitled, "An Act Declaring Mortgages on Growing and Unharvested Crops to be Against the Public Policy of This State, and Abolishing the Same." Approved and Adopted by the Electors at the June 29th, 1932, Primary Election, Repealing Chapter 150, Session Laws of 1933, and Declaring an Emergency.

Which the House has amended.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Bonzer moved that the Senate do concur in the House amendments to Senate Bill No. 120.

Which motion prevailed.

Senator Bonzer moved that the rules be suspended and that Senate Bill No. 120, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 120. A Bill for an Act to Amend and Re-enact Section 2 of That Certain Initiated Law Entitled, "An Act Declaring Mortgages on Growing and Unharvested Crops to be Against the Public Policy of This State, and Abolishing the Same." Approved and Adopted by the Electors at the June 29th, 1932, Primary Election, Repealing Chapter 150, Session Laws of 1933, and Declaring an Emergency.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by the House, the roll was called and there were ayes, 34; nays, 0; absent and not voting, 15.

Those voting in the affirmative were:

Messrs.	Messrs.	Messrs.
Bonzer	Johnson	Nelson, Grand Fks.
Cain	Jones	Owings
Drew	Kolpin	Peterson
Dubay	Lemke	Strehlow
Erickson	Lind	Stucke
Ettestad	Lowe	Thatcher
Fowler	Lynn	Vinje
Fredrickson	Marshall	Watt
Greene, Cavalier	McGillic	Wog
Greene, Stutsman	Mutchler	Whelan
Gronvold	Nelson, Barnes	Young
Handley		

Absent and not voting:

Messrs.	Messrs.	Messrs.
Braaten	Fine	Miklethun
Brostuen	Kamrath	Thorson
Coffey	Kroeber	Topp
Crandall	Matthaei	Trout
Eastgate	McDonald	Trovatten

So the bill passed and the title was agreed to.

Senator Erickson 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.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the

Senate has concurred in the House amendment to Senate Bill No. 120.

Very respectfully,

F. E. TUNELL,
Secretary.

President pro tem. Marshall resumed the chair.

SENATE COMMITTEE ON ENROLLMENT AND
ENGISSMENT

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. 74. A Bill for an Act to Provide for the Payment of the Expense of Auditing and Examining the Affairs of the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, the Bank of North Dakota, Including the Farm Loan Department, the State Hail Insurance Department, the Workmen's Compensation Bureau of the State of North Dakota, the Office of the Beer Commissioner of the State of North Dakota, the North Dakota State Regulatory Department and the North Dakota Teachers Insurance and Retirement Fund, and the Highway Department and the Motor Vehicle Department and the Game and Fish Department, by the State Board of Auditors Pursuant to Section 369-b of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 186 of the Laws of 1933; Designating and Appropriating the Funds From Which Such Payment Shall Be Made; Providing for the Payment Into a Special Fund; Providing for the Repeal of Any Acts in Conflict Herewith.

Also,

Senate Bill No. 225. A Bill for an Act to Provide for the Incorporation of Cooperative Grazing Associations to Aid in the Conservation, Restoration, Improvement, Development and Utilization of Forage Resources in the State of North Dakota; to Authorize Such Associations to Lease County, State, Federal, or Other Lands for Such Purposes, and to Create Grazing Districts, and to Provide for the Management and Use of Such Lands Which Will Best Conserve, Restore, Improve and Develop the Forage Value Thereof.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan 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. 74. A Bill for an Act to Provide for the Payment of the Expense of Auditing and Examining the Affairs of the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, the Bank of North Dakota, Including the Farm Loan Department, the State Hail Insurance Department, the Workmen's Compensation Bureau of the State of North Dakota, the Office of the Beer Commissioner of the State of North Dakota, the North Dakota State Regulatory Department and the North Dakota Teachers Insurance and Retirement Fund, and the Highway Department and the Motor Vehicle Department and the Game and Fish Department, by the State Board of Auditors Pursuant to Section 369-b of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 186 of the Laws of 1933; Designating and Appropriating the Funds From Which Such Payment Shall Be Made; Providing for the Payment Into a Special Fund; Providing for the Repeal of Any Acts in Conflict Herewith.

Also,

Senate Bill No. 225. A Bill for an Act to Provide for the Incorporation of Cooperative Grazing Associations to Aid in the Conservation, Restoration, Improvement, Development and Utilization of Forage Resources in the State of North Dakota; to Authorize Such Associations to Lease County, State, Federal, or Other Lands for Such Purposes, and to Create Grazing Districts, and to Provide for the Management and Use of Such Lands Which Will Best Conserve, Restore, Improve and Develop the Forage Value Thereof.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 74. A Bill for an Act to Provide for the Payment of the Expense of Auditing and Examining the Affairs of the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, the Bank of North Dakota, Including the Farm Loan Department, the State Hail Insurance Department, the Workmen's Compensation Bureau of the State of North Dakota, the Office of the Beer Commissioner of the State of North Dakota, the North Dakota State Regulatory Department and the North Dakota Teachers Insurance and Retirement Fund, and the Highway Department and the Motor Vehicle Department and the Game and Fish Department, by the State Board of Auditors Pursuant to Section 369-b of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 186 of the Laws of 1933; Designating and Appropriating the Funds From Which Such Payment Shall Be

Made; Providing for the Payment Into a Special Fund; Providing for the Repeal of Any Acts in Conflict Herewith.

Also,

Senate Bill No. 225. A Bill for an Act to Provide for the Incorporation of Cooperative Grazing Associations to Aid in the Conservation, Restoration, Improvement, Development and Utilization of Forage Resources in the State of North Dakota; to Authorize Such Associations to Lease County, State, Federal, or Other Lands for Such Purposes, and to Create Grazing Districts, and to Provide for the Management and Use of Such Lands Which Will Best Conserve, Restore, Improve and Develop the Forage Value Thereof.

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Owings moved that the Senate recess for five minutes.

Which motion prevailed.

The Senate re-convened, President pro tem. Marshall presiding.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935

Mr. President: I have the honor to inform you that the House has adopted the report of the Conference Committee on Senate Bill No. 189.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

REPORT OF SELECT COMMITTEES

The Conference Committee on Senate Bill No. 189 made the following report:

Mr. President: Your Conference Committee to whom was referred:

Senate Bill No. 189. A Bill for an Act Providing for the Better Collection of Taxes and Better Enforcement of Laws Relating to the Imposition and Collection of Taxes Now or Hereafter Imposed Upon Cigarettes, Snuff, Cigarette Papers, Beer and or Any Other Article or Product Now or Hereafter Taxed by a Stamp or Other Special Tax by the State of North Dakota.

Have had the same under consideration and recommend that the House recede from its amendments and that the bill be amended as follows:

In the title of the engrossed bill in line 3, after the word "papers," strike out the comma and insert in lieu thereof a period. Strike out all of the balance of the bill and insert in lieu thereof the following:

Be It Enacted by the Legislative Assembly of the State of North Dakota:

The mullet tax heretofore and now fixed by law at the sum of Twelve Dollars and Fifty Cents (\$12.50) as an annual license fee for the retail sale of cigarettes, snuff, cigarette papers or tubes, is hereby reduced and fixed at the sum of Five Dollars; and the stamp tax upon the retail sale of snuff is hereby fixed and established at the sum of two cents for each one and one-quarter ounce or major fraction thereof and the bond now required by law from retail dealers is hereby reduced and fixed at the sum of Two Hundred Fifty Dollars (\$250.00), for which a premium of not to exceed Two Dollars and Fifty Cents (\$2.50) shall be charged.

For the Senate:

A. W. FOWLER,
MAX H. STREHLOW,
O. E. ERICKSON.

For the House:

J. C. BLAISDELL, Jr.,
L. L. TWICHELL,
GEO. ALJETS.

Senator Fowler moved that the report be adopted, which motion prevailed and the report was adopted.

Senator Fowler moved that the rules be suspended and that Senate Bill No. 189, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 189. A Bill for an Act Providing for the Better Collection of Taxes and Better Enforcement of Laws Relating to the Imposition and Collection of Taxes Now or Hereafter Imposed Upon Cigarettes, Snuff, Cigarette Papers, Beer and or Any Other Article or Product Now or Hereafter Taxed by a Stamp or Other Special Tax by the State of North Dakota.

Was read the second time.

ROLL CALL

The question being on the final passage of the Bill, as amended by the Conference Committee, 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.
Braaten	Johnson	McGillic
Brostuen	Jones	Nelson, Barnes
Cain	Kolpin	Nelson, Grand Fks.
Coffey	Kroeber	Owings
Crandall	Lemke	Peterson
Dubay	Lind	Strehlow
Erickson	Lowe	Topp
Ettestad	Lynn	Watt
Fowler	Marshall	Whelan
Greene, Stutsman	Matthaei	Wog
Handley	McDonald	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Gronvold	Thorson
Drew	Kamrath	Trout
Eastgate	Miklethun	Trovatten
Fine	Mutchler	Vinje
Fredrickson	Stucke	Young
Greene, Cavalier	Thatcher	

So the bill passed and the title was agreed to.

Senator McDonald moved that the vote by which Senate Bill No. 189 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota,
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has adopted the report of the Conference Committee on Senate Bill No. 189.

Very respectfully,

F. E. TUNELL,
Secretary.

President pro tem. Marshall called Senator Peterson to the chair to preside.

Senator Cain moved that a rising vote of appreciation be extended to Senator Whelan, chairman of the Enrolling and Engrossing Committee and to his employees for the prompt and efficient service rendered.

Which motion prevailed.

Senator Erickson requested a call of the Senate.

A call of the Senate was granted.

The roll call revealed all Senators present except Senators

Eastgate, Greene of Stutsman, Lind, Matthaei, Miklethun, Mutchler, Vinje and Young.

Senator Erickson moved that the Call of the Senate be dispensed with.

Which motion prevailed.

Senator Stucke moved the Senate recess subject to the call of the Chair.

Which motion prevailed.

The Senate reconvened pursuant to recess taken, President pro tem. Marshall presiding.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to transmit herewith House Bills Nos. 7, 37, 130, 165.

Which the Speaker has signed and your signature is respectfully requested.

Also return Senate Bills Nos. 150, 29, 22, 156, 88, 161.

Also,

SENATE CONCURRENT RESOLUTION A-k

Also,

SENATE CONCURRENT RESOLUTION A-m

Also,

SENATE CONCURRENT RESOLUTION A-g

Also,

SENATE CONCURRENT RESOLUTION A-f

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 14. 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.

Which the House has amended.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following bill:

Senate Bill No. 183. A Bill for an Act Authorizing and Empowering the Governing Board of Any Political Sub-division to Compromise and Settle Obligations Other Than Taxes Due and Owing to or Held by Such Political Sub-divisions, Validating Settlements Heretofore Made, and Declaring an Emergency.

Which the House has indefinitely postponed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 150. A Bill for an Act Empowering the State Historical Society to Acquire Lands for State Parks, State Monuments, and State Recreation Reserves, to Supervise, Control and Maintain Such State Parks, State Monuments, and State Recreation Reserves, Providing for the Appointment of a State Parks Committee, and Making an Appropriation Therefor.

Also,

Senate Bill No. 29. A Bill for an Act Providing for the Nomination of Candidates for the Offices of Presidential Electors; for the Election of Party Precinct Committeemen; Delegates to the National Party Conventions and National Party Committeemen and National Party Committeewomen; for the Organization of Party County and State Committees; and to Repeal All Acts or Parts of Acts in Conflict Herewith, Including Sections 910-916, Inclusive, Compiled Laws 1913 and Chapter 137 of the Session Laws of the Year 1927 and Chapter 123 of the Session Laws of the Year 1929.

Also,

Senate Bill No. 22. A Bill for an Act Making an Appropriation to pay for the General Maintenance, Improvements

and Repairs, Lignite Testing, Clay Testing, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Also,

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Subdivision (e) of Section 1 of Chapter 161, Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

Senate Bill No. 161. A Bill for an Act Providing for the Regulation of Dealers in Livestock and Poultry, and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Records Required of Dealer; Feeding, Watering and Weighing; Acts of Deceit, Fraud or Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act, and, Repealing all of Chapter 7 of the Session Laws of the State of North Dakota for the Year 1933; and Repealing all Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Also,

House Bill No. 130. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of Mileage, Per Diem and Other Incidental Expenses in Connection With the Special Session of the Legislature Convened on July 19, 1934.

Also,

House Bill No. 7. A Bill For an Act to Provide for the Weighing, Grading, Feeding, Docking and Watering of Livestock at Packing Plants, Slaughtering Houses and Concentration Points.

Also,

House Bill No. 37. A Bill for an Act Making an Appropriation to the Board of Auditors for the Purpose of Carrying out the Provisions of Section 369 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 226, Laws of 1915, and as Amended and Re-enacted by the Initiated Law Approved November 2, 1920, and as Provided for in Chapter 143, Laws of 1923, the Same Being Sections 369 and 369b of the Supplement to the 1913 Compiled Laws of North Dakota, and as Amended and Re-enacted by Chapter 186, Laws of 1933.

Also,

House Bill No. 165. A Bill for an Act to Amend and Re-enact Sections 189c1, 189c2, 189c3, 189c5, 189c6, 189c7, 189c8, 189c9, 189c13, 189c14 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapters 173 and 174 of the 1929 Ses-

sion Laws and Chapters 162, 163, and 164 of the 1931 Session Laws, and Chapter 135 of the 1933 Session Laws, and Sections 189c4 and 189c11 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Fire and Tornado Insurance on Public Buildings and Fixing Rates of Premiums to Be Charged, and Providing for Deposit on Investments of State Fire and Tornado Fund; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota.
March 8, 1935.

Mr. Speaker: I have the honor to return herewith the following bills:

House Bill No. 130. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of Mileage, Per Diem and Other Incidental Expenses in Connection With the Special Session of the Legislature Convened on July 19, 1934.

Also,

House Bill No. 7. A Bill For an Act to Provide for the Weighing, Grading, Feeding, Docking and Watering of Live-stock at Packing Plants, Slaughtering Houses and Concentration Points.

Also,

House Bill No. 37. A Bill for an Act Making an Appropriation to the Board of Auditors for the Purpose of Carrying out the Provisions of Section 369 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 226, Laws of 1915, and as Amended and Re-enacted by the Initiated Law Approved November 2, 1920, and as Provided for in Chapter 143, Laws of 1923, the Same Being Sections 369 and 369b of the Supplement to the 1913 Compiled Laws of North Dakota, and as Amended and Re-enacted by Chapter 186, Laws of 1933.

Also,

House Bill No. 165. A Bill for an Act to Amend and Re-enact Sections 189c1, 189c2, 189c3, 189c5, 189c6, 189c7, 189c8, 189c9, 189c13, 189c14 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Chapters 173 and 174 of the 1929 Session Laws and Chapters 162, 163 and 164 of the 1931 Session Laws, and Chapter 135 of the 1933 Session Laws, and Sections 189c4 and 189c11 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Fire and Tornado Insurance on Public Buildings

and Fixing Rates of Premiums to be Charged and Providing for Deposit on Investments of State Fire and Tornado Fund; Repealing All Acts and Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Which the President has signed.

Very respectfully,

F. E. TUNELL,
Secretary.

Senator Fowler moved that the Senate do concur in the House amendments to Senate Bill No. 14.

Which motion prevailed.

Senator Fowler moved that the rules be suspended and that Senate Bill No. 14, as amended, be considered properly re-engrossed and placed upon second reading and final passage.

Which motion prevailed.

Senate Bill No. 14. 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 second time.

ROLL CALL

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.
Braaten	Handley	Mutchler
Brostuen	Johnson	Nelson, Barnes
Cain	Jones	Nelson, Grand Fks.
Coffey	Kamrath	Owings
Crandall	Kolpin	Peterson
Drew	Kroeber	Strehlow
Dubay	Lind	Thatcher
Ettestad	Lowe	Topp
Fine	Lynn	Trout
Fowler	Marshall	Trovatten
Fredrickson	Matthaei	Watt
Greene, Cavalier	McDonald	Whelan
Greene, Stutsman	McGillic	Wog
Gronvold	Miklethun	

Absent and not voting:

Messrs.	Messrs.	Messrs.
Bonzer	Lemke	Vinje
Eastgate	Stucke	Young
Erickson	Thorson	

So the bill passed and the title was agreed to.

Senator Fowler moved that the vote by which Senate Bill No. 14 was passed be reconsidered and the motion to reconsider be laid on the table.

Which motion prevailed.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota.
March 8, 1935.

Mr. Speaker: I have the honor to inform you that the Senate has concurred in the House amendment to Senate Bill No. 14.

Very respectfully,

F. E. TUNELL,
Secretary.

President pro tem. Marshall called Senator Strehlow to the chair to preside.

MESSAGE FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to inform you that the House requests the return of Senate Bills Nos. 100 and 101.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

Senator Johnson moved that the request of the House be granted and Senate Bills Nos. 100 and 101 be returned.

Senator Whelan moved as a substitute motion that the Senate do not grant the request of the House and that Senate Bills Nos. 100 and 101 be not returned.

Which motion prevailed.

MESSAGE FROM THE GOVERNOR

Senator Whelan moved that the message be read from the desk and printed in the Journal.

Which motion prevailed.

Bismarck, North Dakota,
March 8, 1935.

The Honorable Members of the 24th Legislative Assembly:

The hour for closing of this session of the 24th Legislative Assembly is near at hand and all of your deliberations will soon be recorded in history.

I feel it both fitting and proper at this time to take this means of expressing to you my thanks and to show to you my sincere appreciation of the fine service you have rendered the state and for the hearty co-operation you have given me. You came here with your minds filled with worries over the distressed conditions that confronted yourselves—your relatives—your friends and—your neighbors. These worries made your burden the heavier.

Immediately upon your convention you were confronted with a partisan political fight with many, many, grave questions and political pitfalls involved. No party had predominant power. You could easily have become ensnared to the point where nothing would have been accomplished. Despite all of that I believe that you have done your duties well and have rendered an excellent service for the state.

You have reduced your provisions for appropriations to the point, where, with slight adjustments they can be kept within the revenues available. You have cared for the schools and the needy through the adoption of the sales tax act. You have provided for assistance for the distressed through the enactment of a legal moratorium. You have aided credit business transactions through a lowered interest rate. You have initiated an equitable adjustment of utility taxes through change in the constitution. You have initiated action looking to the withdrawal of tax exempt securities. You have passed many needed laws that correct errors and omissions in existing laws. You have made possible a more rigid enforcement of our laws and have provided for supervision of highway traffic. In many, numerous and sundry ways you have provided a means for better participation in Federal constructional and relief activities. Our state should become a better and a greater state as the result of your activities and deliberations.

You are now able to carry back to your friends and your neighbors the story of the problems that confront our citizens as a whole. If you do carry this story back there will be more consideration shown for everyone, as we must all continue to live together and stick together. If we only reach an understanding our problems will be solved and we will be happy together again.

Please convey my sincere regards to all of your friends and tell them that I will do my best to carry on for them.

Respectfully,

WALTER WELFORD,
Acting Governor.

Senator Erickson moved that the Senate recess subject to the call of the chair.

Which motion prevailed.

The Senate re-convened pursuant to recess taken, President pro tem. Marshall presiding.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to transmit herewith the following bills:

House Bill No. 255. A Bill for an Act to Re-establish the State Equalization Fund for the Common Schools of the State; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of That Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; Repealing All Acts in Conflict Herewith.

Also,

HOUSE CONCURRENT RESOLUTION A-20

Also,

HOUSE CONCURRENT RESOLUTION A-24

Which the Speaker has signed and your signature is respectfully requested.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 74. A Bill for an Act to Provide for the Payment of the Expense of Auditing and Examining the Affairs of the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, the Bank of North Dakota, Including the Farm Loan Department, the State Hail Insurance Department, the Workmen's Compensation Bureau of the State of North Dakota, the Office of the Beer Commissioner of the State of North Dakota, the North Dakota State Regulatory Department and the North Dakota Teachers Insurance and Retirement Fund, and the Highway Department and the Motor Vehicle Department and the Game and Fish Department, by the State Board of Auditors Pursuant to Section 369-b of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 186 of the Laws of 1933; Designating and Appropriating the Funds From Which Such Payment Shall Be Made; Providing for the Payment Into a Special Fund; Providing for the Repeal of Any Acts in Conflict Herewith.

Also,

Senate Bill No. 225. A Bill for an Act to Provide for the Incorporation of Cooperative Grazing Associations to Aid in the Conservation, Restoration, Improvement, Development and Utilization of Forage Resources in the State of North Dakota; to Authorize Such Associations to Lease County, State, Federal, or Other Lands for Such Purposes, and to Create Grazing Districts, and to Provide for the Management and Use of Such Lands Which Will Best Conserve, Restore, Improve and Develop the Forage Value Thereof.

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

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. 1. 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. 18. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Providing for an Infirmary With the Fixtures Therefor, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

Also,

Senate Bill No. 185. A Bill for an Act Defining the Jurisdiction of Police Magistrates and City Justices of the Peace in Criminal Actions in Cities of Five Thousand Inhabitants or More in Counties Wherein the County Court Does Not Have Increased Jurisdiction; Qualifications and Fees of Said Police Magistrate and City Justices of the Peace; Procedure, Jurors and Officers in Said Police Magistrate Courts and Courts of Said City Justices of the Peace; Limitations of Jurisdiction of Justices of the Peace in Said Cities; and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 198. A Bill for an Act Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty

for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 280. A Bill for an Act to Provide for the Establishment of County Debt Adjustment Boards, Prescribing the Duties and Powers of Such Boards and the Duties of the Judges and the Clerks of the District Courts as Regards Such Boards.

Also,

Senate Bill No. 260. A Bill for an Act Creating a State Highway Patrol for the State of North Dakota; Authorizing the Highway Department to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Fixing Compensation and Providing for Disposition of Fines Collected; and Declaring an Emergency.

Also,

Senate Bill No. 138. A Bill for an Act Providing That Surety and Insurance Companies Other Than Life Insurance Companies Shall Do Business in This State Only Through Duly Licensed Resident Agents, Regulating the Practice of Such Resident Agents, Providing That the Commissioner of Insurance Shall Have the Power to Refuse, Suspend or Revoke Licenses of Such Resident Agents, Authorizing the Commissioner of Insurance to Examine the Records of Surety or Insurance Companies, to Collet Premium Taxes on Surety or Insurance Companies That Have Transacted Business Within the State Without Authority, Providing Penalties for the Violations Thereof, and Repealing Sections 4961, 4962, 4963 and 4964 of the Compiled Laws of North Dakota for 1913, and Chapter 133, of the Session Laws of North Dakota for 1933, and Declaring an Emergency.

Also,

Senate Bill No. 313. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be used for Such Replacement by Imposing a Tax on the Gross Receipts from Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; to Make an Appropriation for the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 156. A Bill for an Act to Amend and Reenact Sub-division (d) of Section 1 of Chapter 188 of the

Session Laws of 1931, Relating to Regulations of Motor Vehicle Transportation, and Declaring an Emergency.

Also,

Senate Bill No. 189. A Bill for an Act Providing for the Better Collection of Taxes and Better Enforcement of Laws Relating to the Imposition and Collection of Taxes Now or Hereafter Imposed Upon Cigarettes, Snuff and Cigarette Papers.

Also,

Senate Bill No. 120. A Bill for an Act to Amend and Re-enact Section 2 of That Certain Initiated Law Entitled, "An Act Declaring Mortgages on Growing and Unharvested Crops to be Against the Public Policy of This State, and Abolishing the Same." Approved and Adopted by the Electors at the June 29th, 1932, Primary Election, Repealing Chapter 150, Session Laws of 1933, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION A-1

A Concurrent Resolution asking the President to take the necessary steps, to either increase the tariff or declare an embargo to protect domestic producers of grains against the foreign competition on our market, etc.

Also,

SENATE CONCURRENT RESOLUTION A-m

Specifying Certain Employees to Be Retained for an Additional Period of Time to Complete Work, and Setting Fees Therefor.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan 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. 255. A Bill for an Act to Amend and Re-establish the State Equalization Fund for the Common Schools of the State; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of That Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; Repealing All Acts in Conflict Herewith.

Also,

HOUSE CONCURRENT RESOLUTION A-20

Also:

HOUSE CONCURRENT RESOLUTION A-24

Also,

Senate Bill No. 1. 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. 18. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

Also,

Senate Bill No. 185. A Bill for an Act Defining the Jurisdiction of Police Magistrates and City Justices of the Peace in Criminal Actions in Cities of Five Thousand Inhabitants or More in Counties Wherein the County Court Does Not Have Increased Jurisdiction; Qualifications and Fees of Said Police Magistrate and City Justices of the Peace; Procedure, Jurors and Officers in Said Police Magistrate Courts and Courts of Said City Justices of the Peace; Limitations of Jurisdiction of Justices of the Peace in Said Cities; and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 198. A Bill for an Act Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 280. A Bill for an Act to Provide for the Establishment of County Debt Adjustment Boards, Prescribing the Duties and Powers of Such Boards and the Duties of the Judges and the Clerks of the District Courts as Regards Such Boards.

Also,

Senate Bill No. 260. A Bill for an Act Creating a State Highway Patrol for the State of North Dakota; Authorizing the Highway Department to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Fixing Compensation and

Providing for Disposition of Fines Collected; and Declaring an Emergency.

Also,

Senate Bill No. 313. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts From Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; to Make an Appropriation for the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 189. A Bill for an Act Providing for the Better Collection of Taxes and Better Enforcement of Laws Relating to the Imposition and Collection of Taxes Now or Hereafter Imposed Upon Cigarettes, Snuff, Cigarette Papers, Beer and or Any Other Article or Product Now or Hereafter Taxed by a Stamp or Other Special Tax by the State of North Dakota.

Also,

Senate Bill No. 120. A Bill for an Act to Amend and Re-enact Section 2 of That Certain Initiated Law Entitled, "An Act Declaring Mortgages on Growing and Unharvested Crops to Be Against the Public Policy of This State, and Abolishing the Same," Approved and Adopted by the Electors at the June 29, 1932, Primary Election, Repealing Chapter 150, Session Laws of 1933, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION A-1

Also,

Senate Bill No. 138. A Bill for an Act Providing That Surety and Insurance Companies Other Than Life Insurance Companies, Shall Do Business in This State Only Through Duly Licensed Resident Agents, Regulating the Practice of Such Resident Agents, Providing That the Commissioner of Insurance Shall Have the Power to Refuse, Suspend or Revoke Licenses of Such Resident Agents, Authorizing the Commissioner of Insurance to Examine the Records of Surety or Insurance Companies, to Collect Premium Taxes on Surety or Insurance Companies That Have Transacted Business Within the State Without Authority, Providing Penalties for the Violations Thereof, and Repealing Sections 4961, 4962, 4963 and 4964 of the Compiled Laws of North Dakota for 1913 and Chapter 133, of the Session Laws of North Dakota for 1933.

And the President signed the same in the presence of the Senate.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota.
March 8, 1935.

Mr. Speaker: I have the honor to return herewith:
House Bill No. 255.

Also,

HOUSE CONCURRENT RESOLUTION "A-20"

Also,

HOUSE CONCURRENT RESOLUTION "A-24"

Which the President has signed.

Also transmit:

Senate Bills Nos. 1, 18, 185, 198, 280, 260, 138, 313, 189, 120.

Also,

SENATE CONCURRENT RESOLUTION "A-1"

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

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. 195. A Bill for an Act to Amend and Re-enact Sections 3, 5, 7, 8, and 11 of the Initiated Measure Entitled "An Act Providing for the Manufacture and Sale, Within the State, of Beer, as Defined by the Congress of the United States, Making Regulations Under Which the Same May Be Done, Providing a Revenue Therefrom, and Repealing Senate Bill No. 263, Passed by the 23rd Legislative Assmby of the State of North Dakota, and All Other Acts or Parts of Acts in Conflict With the Provisions of This Act," Approved by the People of the State of North Dakota at the Special Election Held on the 22nd Day of September, 1933, Relating to the Manufacture and Sale of Beer, and Declaring an Emergency.

Also,

Senate Bill No. 14. 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.

Also,

Senate Bill No. 264. A Bill for an Act Relating to Licensing of Motor Vehicle Operators and Chauffeurs and to the Liability of Certain Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fee to Be Paid; Providing for Examination of Applicant; Providing for Suspension or Revocation of License; Making Disposition of Fees Collected; Providing for Penalty for Violating Act; Repealing All Acts in Conflict Herewith, and Declaring an Emergency; Appropriation.

And find the same correctly enrolled.

T. E. WHELAN,
Chairman.

Senator Whelan moved that the report be adopted, which motion prevailed, and the report was adopted.

SIGNING OF BILLS

The Secretary announced that the President was about to sign:

Senate Bill No. 14. A Bill for an Act Making an Appropriation to Pay the General Maintenance, Improvements and Repairs, Equipment, Miscellaneous and Public Service of the Agricultural College, Fargo, North Dakota.

Also,

Senate Bill No. 195. A Bill for an Act to Amend and Reenact Sections 3, 5, 7, 8, and 11 of the Initiated Measure Entitled, "An Act Providing for the Manufacture and Sale, Within the State, of Beer, as Defined by the Congress of the United States, Making Regulations Under Which the Same May Be Done, Providing a Revenue Therefrom, and Repealing Senate Bill No. 263, passed by the 23rd Legislative Assembly of the State of North Dakota, and All Other Acts or Parts of Acts in Conflict With the Provisions of This Act," Approved by the People of the State of North Dakota at the Special Election Held on the 22nd day of September, 1933, Relating to the Manufacture and Sale of Beer, and Declaring an Emergency.

Also,

Senate Bill No. 264. A Bill for an Act Relating to Licensing of Motor Vehicle Operators and Chauffeurs and to the Liability of Certain Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fee to Be Paid; Providing for Examination of Applicant; Providing for Suspension or Revocation of License; Making Disposition of Fees Collected; Providing for Penalty for Violating Act; Repealing All Acts in Conflict Herewith, and Declaring an Emergency; Appropriation.

Also,

SENATE CONCURRENT RESOLUTION A-n

And the President signed the same in the presence of the Senate.

The following Resolutions were filed with the Secretary of State:

SENATE RESOLUTION NO. A-O

SENATE RESOLUTION NO. G

SENATE RESOLUTION NO. J

Which the Senate of the Twenty-Fourth Legislative Assembly has adopted.

I also transmit herewith:

SENATE CONCURRENT RESOLUTION NO. A-F

SENATE CONCURRENT RESOLUTION NO. A-G

SENATE CONCURRENT RESOLUTION NO. A-K

SENATE CONCURRENT RESOLUTION NO. A-M

SENATE CONCURRENT RESOLUTION NO. A-N

SENATE CONCURRENT RESOLUTION NO. A-L

Which the Senate and the House of Representatives have adopted.

MESSAGE TO THE HOUSE

Senate Chamber,
Bismarck, North Dakota.
March 8, 1935.

Mr. Speaker: I have the honor to transmit herewith the following bills:

Senate Bill No. 14. 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.

Also,

Senate Bill No. 195. A Bill for an Act to Amend and Re-enact Sections 3, 5, 7, 8, and 11 of the Initiated Measure Entitled, "An Act Providing for the Manufacture and Sale, Within the State, of Beer, as Defined by the Congress of the United States, Making Regulations Under Which the Same May Be Done, Providing a Revenue Therefrom, and Repealing Senate Bill No. 263, passed by the 23rd Legislative Assembly of the State of North Dakota, and All Other Acts or Parts of Acts in Conflict With the Provisions of This Act," Approved by the People of the State of North Dakota at

the Special Election Held on the 22nd day of September, 1933, Relating to the Manufacture and Sale of Beer, and Declaring an Emergency.

Also,

Senate Bill No. 264. A Bill for an Act Relating to Licensing of Motor Vehicle Operators and Chauffeurs and to the Liability of Certain Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fee to Be Paid; Providing for Examination of Applicant; Providing for Suspension or Revocation of License; Making Disposition of Fees Collected; Providing for Penalty for Violating Act; Repealing All Acts in Conflict Herewith, and Declaring an Emergency; Appropriation.

Also,

SENATE CONCURRENT RESOLUTION "A-n"

Which the President has signed and your signature is respectfully requested.

Very respectfully,

F. E. TUNELL,
Secretary.

MESSAGES FROM THE HOUSE

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following bills:

Senate Bill No. 1. 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 Appropriation 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. 18. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Providing for an Infirmary With the Fixtures Therefor, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

Also,

Senate Bill No. 185. A Bill for an Act Defining the Jurisdiction of Police Magistrates and City Justices of the Peace in Criminal Actions in Cities of Five Thousand Inhabitants or More in Counties Wherein the County Court Does Not Have Increased Jurisdiction; Qualifications and Fees of

Said Police Magistrates and City Justices of the Peace; Procedure, Jurors and Officers in Said Police Magistrates Courts and Courts of Said City Justices of the Peace; Limitations of Jurisdiction of Justices of the Peace in Said Cities; and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 198. A Bill for an Act Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Also,

Senate Bill No. 280. A Bill for an Act to Provide for the Establishment of County Debt Adjustment Boards, Prescribing the Duties and Powers of Such Boards and the Duties of the Judges and the Clerks of the District Courts as Regards Such Boards.

Also,

Senate Bill No. 260. A Bill for an Act Creating a State Highway Patrol for the State of North Dakota; Authorizing the Highway Department to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Fixing Compensation and Providing for Disposition of Fines Collected; and Declaring an Emergency.

Also,

Senate Bill No. 138. A Bill for an Act Providing That Surety and Insurance Companies Other Than Life Insurance Companies Shall Do Business in This State Only Through Duly Licensed Resident Agents, Regulating the Practice of Such Resident Agents, Providing That the Commissioner of Insurance Shall Have the Power to Refuse, Suspend or Revoke Licenses of Such Resident Agents, Authorizing the Commissioner of Insurance to Examine the Records of Surety or Insurance Companies, to Collet Premium Taxes on Surety or Insurance Companies That Have Transacted Business Within the State Without Authority, Providing Penalties for the Violations Thereof, and Repealing Sections 4961, 4962, 4963 and 4964 of the Compiled Laws of North Dakota for 1913, and Chapter 133, of the Session Laws of North Dakota for 1933, and Declaring an Emergency.

Also,

Senate Bill No. 313. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts From Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; to Make an

Appropriation for the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

Also,

Senate Bill No. 189. A Bill for an Act Providing for the Better Collection of Taxes and Better Enforcement of Laws Relating to the Imposition and Collection of Taxes Now or Hereafter Imposed Upon Cigarettes, Snuff and Cigarette Papers.

Also,

Senate Bill No. 120. A Bill for an Act to Amend and Re-enact Section 2 of That Certain Initiated Law Entitled, "An Act Declaring Mortgages on Growing and Unharvested Crops to Be Against the Public Policy of This State, and Abolishing the Same," Approved and Adopted by the Electors at the June 29, 1932, Primary Election, Repealing Chapter 150, Session Laws of 1933, and Declaring an Emergency.

Also,

SENATE CONCURRENT RESOLUTION A-1

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

House of Representatives,
Bismarck, North Dakota,
March 8, 1935.

Mr. President: I have the honor to return herewith the following:

SENATE CONCURRENT RESOLUTION A-n

Also,

Senate Bill No. 14. 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.

Also,

Senate Bill No. 195. A Bill for an Act to Amend and Re-enact Sections 3, 5, 7, 8, and 11 of the Initiated Measure Entitled, "An Act Providing for the Manufacture and Sale, Within the State, of Beer, as Defined by the Congress of the United States, Making Regulations Under Which the Same May Be Done, Providing a Revenue Therefrom, and Repealing Senate Bill No. 263, passed by the 23rd Legislative As-

sembly of the State of North Dakota, and All Other Acts or Parts of Acts in Conflict With the Provisions of This Act," Approved by the People of the State of North Dakota at the Special Election Held on the 22nd day of September, 1933, Relating to the Manufacture and Sale of Beer, and Declaring an Emergency.

Also,

Senate Bill No. 264. A Bill for an Act Relating to Licensing of Motor Vehicle Operators and Chauffeurs and to the Liability of Certain Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fee to Be Paid; Providing for Examination of Applicant; Providing for Suspension or Revocation of License; Making Disposition of Fees Collected; Providing for Penalty for Violating Act; Repealing All Acts in Conflict Herewith, and Declaring an Emergency; Appropriation.

Which the Speaker has signed.

Very respectfully,

WALTER S. MARTIN,
Chief Clerk.

SENATE COMMITTEE ON ENROLLMENT AND ENGROSSMENT

The Committee on Enrollment and Engrossment made the following report:

Mr. President: Your Committee on Enrollment and Engrossment respectfully report that:

Senate Bill No. 74. A Bill for an Act to Provide for the Payment of the Expense of Auditing and Examining the Affairs of the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, the Bank of North Dakota, Including the Farm Loan Department, the State Hail Insurance Department, the Workmen's Compensation Bureau of the State of North Dakota, the Office of the Beer Commissioner of the State of North Dakota, the North Dakota State Regulatory Department and the North Dakota Teachers Insurance and Retirement Fund, and the Highway Department and the Motor Vehicle Department and the Game and Fish Department, by the State Board of Auditors Pursuant to Section 369-b of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 186 of the Laws of 1933; Designating and Appropriating the Funds From Which Such Payment Shall Be Made; Providing for the Payment Into a Special Fund; Providing for the Repeal of Any Acts in Conflict Herewith.

Also,

Senate Bill No. 225. A Bill for an Act to Provide for the Incorporation of Cooperative Grazing Associations to Aid in the Conservation, Restoration, Improvement, Development and Utilization of Forage Resources in the State of North Dakota; to Authorize Such Associations to Lease County, State, Federal, or Other Lands for Such Purposes, and to

Create Grazing Districts, and to Provide for the Management and Use of Such Lands Which Will Best Conserve, Restore, Improve and Develop the Forage Value Thereof.

Also,

Senate Bill No. 161. A Bill for an Act Providing for the Regulation of Dealers in Livestock and Poultry and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Records Required of Dealers; Feeding, Watering and Weighing; Acts of Deceit, Fraud, Dishonesty, and Appropriating Fees Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act; and, Repealing All of Chapter 7 of the Session Laws of the State of North Dakota for the Year 1933; and Repealing All Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Also,

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Sub-division (e) of Section 1 of Chapter 161, Session Laws of 1933 Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Also,

Senate Bill No. 22. A Bill for an Act Making an Appropriation to Pay for the General Maintenance, Improvements and Repairs, Lignite Testing, Clay Testing, Equipment and Miscellaneous Expenses of the State University at Grand Forks, North Dakota.

Also,

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Senate Bill No. 18. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Providing for an Infirmary With the Fixtures Therefor, Equipment and Miscellaneous Expenses for the Tuberculosis Sanatorium at San Haven, North Dakota.

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Senate Bill No. 120. A Bill for an Act to Amend and Re-enact Section 2 of That Certain Initiated Law Entitled, "An Act Declaring Mortgages on Growing and Unharvested Crops to Be Against the Public Policy of This State, and Abolishing the Same," Approved and Adopted by the Electors at the June 29, 1932, Primary Election, Repealing Chapter 150, Session Laws of 1933, and Declaring an Emergency.

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Senate Bill No. 138. A Bill for an Act Providing That Surety and Insurance Companies Other Than Life Insurance Companies Shall Do Business in This State Only Through Duly Licensed Resident Agents, Regulating the Practice of Such Resident Agents, Providing That the Commissioner of Insurance Shall Have the Power to Refuse, Suspend or Revoke Licenses of Such Resident Agents, Authorizing the Commissioner of Insurance to Examine the Records of Surety or Insurance Companies, to Collect Premium Taxes on Surety or Insurance Companies That Have Transacted Business Within the State Without Authority, Providing Penalties for the Violations Thereof, and Repealing Sections 4961, 4962, 4963 and 4964 of the Compiled Laws of North Dakota for 1913, and Chapter 133, of the Session Laws of North Dakota for 1933, and Declaring an Emergency.

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Senate Bill No. 156. A Bill for an Act to Amend and Re-enact Sub-division (d) of Section 1 of Chapter 188 of the Session Laws of 1931, Relating to Regulations of Motor Vehicle Transportation, and Declaring an Emergency.

Also,

Senate Bill No. 185. A Bill for an Act Defining the Jurisdiction of Police Magistrates and City Justices of the Peace in Criminal Actions in Cities of Five Thousand Inhabitants or More in Counties Wherein the County Court Does Not Have Increased Jurisdiction; Qualifications and Fees of Said Police Magistrates and City Justices of the Peace; Procedure, Jurors and Officers in Said Police Magistrates Courts and Courts of Said City Justices of the Peace; Limitations of Jurisdiction of Justices of the Peace in Said Cities; and Repealing All Acts and Parts of Acts in Conflict Therewith.

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Also,

Senate Bill No. 195. A Bill for an Act to Amend and Re-enact Sections 3, 5, 7, 8, and 11 of the Initiated Measure Entitled, "An Act Providing for the Manufacture and Sale, Within the State, of Beer, as Defined by the Congress of the United States, Making Regulations Under Which the Same May Be Done, Providing a Revenue Therefrom, and Repealing Senate Bill No. 263, passed by the 23rd Legislative Assembly of the State of North Dakota, and All Other Acts or Parts of Acts in Conflict With the Provisions of This Act," Approved by the People of the State of North Dakota at the Special Election Held on the 22nd day of September, 1933, Relating to the Manufacture and Sale of Beer, and Declaring an Emergency.

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Senate Bill No. 260. A Bill for an Act Creating a State Highway Patrol for the State of North Dakota; Authorizing the Highway Department to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Fixing Compensation and Providing for Disposition of Fines Collected; and Declaring an Emergency.

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Senate Bill No. 280. A Bill for an Act to Provide for the Establishment of County Debt Adjustment Boards, Prescribing the Duties and Powers of Such Boards and the Duties of the Judges and the Clerks of the District Courts as Regards Such Boards.

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Senate Bill No. 313. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts From Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; to Make an Appropriation for the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

Were delivered to the Governor for his approval at the hour of 11:50 o'clock A. M., on March 8, 1935.

T. E. WHELAN,
Chairman.

A committee from the House reported that it had no further business and was about to adjourn sine die.

The President pro tem. appointed as a committee of three, Senators Bonzer, Erickson and Johnson to notify the House that the Senate was about to adjourn sine die.

The committee appointed to notify the House reported that it had so notified the House and asked that the committee be discharged.

The President appointed Senators Bonzer, Erickson and Lind to notify the Governor that the Senate was about to adjourn sine die. They reported that they had notified the Governor and that the Governor had no further messages to transmit to the Senate, so the chairman moved that the committee be discharged.

Which motion prevailed.

Senator Bonzer moved that the Senate do now adjourn sine die.

Which motion prevailed and the Senate adjourned sine die.

F. E. TUNELL,
Secretary.

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 Signed by President, 381.
 Approved by Governor, 489.

Senate Bill No. 37—(Miklethun)

Senate Bill No. 37. A Bill for an Act Providing Who Shall Be Employed on All Public Work, Providing for the Qualification of Such Employees, and Prohibiting Deduction from Wages.

Introduction, first reading, 96.
 Reference, 96.
 Reported back, 181.
 Indefinitely postponed, 181.

Senate Bill No. 38—(Topp and Coffey)

Senate Bill No. 38. A Bill For an Act to Amend and Re-enact Section 1122 of the Compiled Laws of the State of North

Dakota for the Year 1913, Specifying the Qualifications for the Office of County Superintendent of Schools.

Introduction, first reading, 96.
 Reference, 96.
 Reported back, 354.
 Indefinitely postponed, 354.

Senate Bill No. 39—(McDonald)

Senate Bill No. 39. A Bill for an Act to Repeal Sections 992, 993, 994, 996, 997, 998, 999, 1000, 1001, 1002, 1003, and 1004 of the Compiled Laws for the Year 1913, the Same Also Being Chapter 155, Section 1 to 13, Inclusive, of the Session Laws of 1913, Known as the Absent Voter's Law Together With all Amendments Thereto or to Any of the Sections Thereof Expressly Including Those Amendments Enacted by Chapter 136, Session Laws 1931.

Introduction, first reading, 96.
 Reference, 96.
 Reported back, 246.
 Indefinitely postponed, 246.

Senate Bill No. 40—(Bonzer)

Senate Bill No. 40. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by the Wahpeton Military Training School as Mortgagor to the State of North Dakota as Mortgagee, Dated October 4, 1910, Filed for Record in the Office of the Register of Deeds of Richland County, North Dakota, on October 12, 1910, at 11:30 A. M. and Recorded in Book 69 of Mortgages at Page 176, and Covering Lots Numbered Sixteen (16) and Seventeen (17) in Block Thirty-seven (37) of the Original Townsite of the City of Wahpeton, Richland County, North Dakota, Insofar as Said Mortgage Is a Lien Upon and Affects Said Lot Sixteen (16) But Not Otherwise, and Declaring an Emergency.

Introduction, first reading, 96.
 Reference, 96.
 Reported back, 121.
 Amended, 147.
 Passed, 147.
 Sent to House, 154, 280.
 Returned to Senate, 229, 289.
 Signed by President, 278.
 Sent to Governor, 304.
 Approved by Governor, 344.

Senate Bill No. 41—(Miklethun)

Senate Bill No. 41. A Bill For an Act to Provide For the Removal of Buildings, Fences, Windmills, Additions to Buildings and Mechanical Appliances Attached to Buildings Which

Are Placed Upon the Land After the Land Has Been Encumbered, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 96.
Reference, 97.
Withdrawn, 139.

Senate Bill No. 42—(McDonald)

Senate Bill No. 42. A Bill for an Act Fixing the Qualifications of Employees to Be Engaged on Public Work, Providing for Minimum Wages and Maximum Hours of Employment, Prohibiting Deduction from Wages and Providing a Remedy for Employees Paid Less Than the Minimum and the Penalty for Violation of the Act.

Introduction, first reading, 100.
Reference, 100, 187.
Reported back, 180, 199.
Other action, 181, 187.
Indefinitely postponed, 199.

Senate Bill No. 43—(Brostuen)

Senate Bill No. 43. A Bill for an Act to Prevent Fraud and Deception in the Sale of Live Stock Remedies; Providing for the Registration and Labeling of Live Stock Remedies; Authorizing Rules and Regulations for the Administration of This Act; Prescribing the Method of Revocation of Such Registration and Prescribing a Penalty for the Violation Thereof.

Introduction, first reading, 100.
Reference, 101.
Reported back, 653.
Amended, 653.
Passed, 890.
Sent to House, 922.
Returned to Senate (Indefinitely postponed), 1448.

Senate Bill No. 44—(Miklethun)

Senate Bill No. 44. A Bill for an Act Relating to Additional Alternate Exemptions for Persons Engaged in Farming, Dairying, Stockraising.

Introduction, first reading, 101.
Reference, 101.
Reported back, 260.
Other action, 286, 319, 429, 506.
Amended, 429.
Indefinitely postponed, 506.

Senate Bill No. 45—(Erickson)

Senate Bill No. 45. A Bill for an Act Providing for Each Life Insurance Company Now Engaged or That May En-

gage in Transacting Business of Life Insurance in This State, Shall Invest and Keep Invested in North Dakota, Securities and North Dakota Real Estate a Sum of Money Equal to at Least Seventy-five Per Cent of the Aggregate Amount of Legal Reserve; Providing How Investments Shall Be Made; for an Occupation Tax; Report Showing Amount of Reserve and Gross Receipts; Requiring Taxes to Be Paid Before Certificate Issued; Providing Penalties for Failure to Renew Certificate; Authorizing Commissioner to Revoke Certificate; and Deposit by Domestic Company; Repealing All Acts or Parts of Acts in Conflict With This Act.

Introduction, first reading, 101.
Reference, 101.
Reported back, 484.
Indefinitely postponed, 485.

Senate Bill No. 46—(Kroeber and Peterson)

Senate Bill No. 46. A Bill for an Act Relating to the Foreclosure of Real Estate Mortgages and Land Contracts, Providing What the Judgment and Decree Shall Contain, and Prohibiting Any Deficiency Judgments.

Introduction, first reading, 112.
Reference, 113.
Reported back, 366.
Amended, 366.
Other action, 470.
Indefinitely postponed, 479.

Senate Bill No. 47—(Peterson and Thatcher)

Senate Bill No. 47. A Bill for an Act to Provide for a State-wide Moratorium for a Period of Two Years, Prohibiting all Foreclosures, Executions, and Tax Sales, all Evictions and Disposessions, Making Exception in Certain Cases, Providing a Limitation of Time in Which Evictions and Disposessions May Be Executed, Providing for a Constitutional Saving Clause, and Declaring Said Act to Be an Emergency Measure.

Introduction, first reading, 113.
Reference, 113, 402.
Reported back, 597.
Indefinitely postponed, 597.

Senate Bill No. 48—(Mutchler)

Senate Bill No. 48. A Bill for an Act to Restore the Motor Vehicle Registration Fund to the Highway Department.

Introduction, first reading, 113.
Reference, 113.
Reported back, 308.
Indefinitely postponed, 308.

Senate Bill No. 49—(Gronvold and Wog)

Senate Bill No. 49. A Bill for an Act Amending and Re-enacting Section 3341, Compiled Laws of North Dakota for the Year 1913, Relating to the Duties of the County Treasurer, and Providing That the County Treasurer Be the Treasurer of all Tax Districts Within the County, Including Cities (Whether Operated Under Special Charter or General Law), Villages, Townships, Towns, School Districts, (Whether Operating Under Special Charter or General Law) and Park Districts, Excepting Cities Having a Population of 3,000 or Over; and Providing an Exception and Option in the Case of Cities Having a Population of 3,000 or Over, and Repealing Sections 4087-4159-4160-660-4165-4206, as Amended by Chapter 241; Session Laws of 1927; 4-67-3889, Compiled Laws of the State of North Dakota for the Year 1913.

Introduction, first reading, 113.

Reference, 113.

Withdrawn, 181.

Senate Bill No. 50—(Gronvold and Wog)

Senate Bill No. 50. A Bill for an Act Amending and Re-enacting Chapter 202 of the Session Laws of North Dakota for 1931, and Relating to Funds of Cities, Villages, Townships, Towns, School Districts and Park Districts, Except in Cities Having a Population of 3,000 or Over.

Introduction, first reading, 113.

Reference, 113.

Withdrawn, 181.

Senate Bill No. 51—(McDonald)

Senate Bill No. 51. A Bill for an Act to Provide for the Cancelling of Taxes Levied Against Homesteads for the Years Prior to 1934; Defining a Homestead, as Used in Said Act, and Providing for the Method of Causing and Procuring Such Cancellation.

Introduction, first reading, 114.

Reference, 114.

Reported back, 276.

Indefinitely postponed, 276.

Senate Bill No. 52—(Thorson, Drew and Greene of Stutsman)

Senate Bill No. 52. A Bill for an Act Creating a Board Known as the "North Dakota Commissioners of the Federated Cooperative Agricultural Association" and Providing for Cooperation With Other Surplus Producing States of the Union, Describing the Manner of Forming the Same, the Purposes Thereof, Making an Appropriation Therefor, and Declaring an Emergency.

Introduction, first reading, 114.

Reference, 114, 168, 196.

Reported back, 165, 306, 360.
 Other action, 196, 466.
 Amended, 306.
 Passed, 465.
 Senate to House, 486, 1517.
 Returned to Senate, 1435, 1554.
 Signed by President, 1511.
 Sent to Governor, 1650.

Senate Bill No. 53—(Committee on Game and Fish)

Senate Bill No. 53. A Bill for an Act Requiring All Hunters and Trappers to Report the Number and Kind of Birds and Animals Killed or Trapped During Previous Season.

Introduction, first reading, 114.
 Reference, 114.
 Reported back, 401.
 Indefinitely postponed, 401.

Senate Bill No. 54—(Handley)

Senate Bill No. 54. A Bill for an Act Exempting Certain Banks Designated as Public Depositories from Furnishing Bonds Under Certain Conditions and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 114.
 Reference, 114.
 Reported back, 360.
 Indefinitely postponed, 464.

Senate Bill No. 55—(Committee on Appropriations)

Senate Bill No. 55. A Bill for an Act to Amend and Re-enact Section 916, of the Compiled Laws of North Dakota for the Year 1913, Pertaining to Payment of Expenses of Delegates to National Conventions.

Introduction, first reading, 114.
 Reference, 114, 181.
 Reported back, 151, 247.
 Amended, 174, 175, 247.
 Passed, 175, 266.
 Reconsidered, 181.
 Sent to House, 279.
 Returned to Senate, 442.
 Indefinitely postponed, 442.

Senate Bill No. 56—(Thorson and Brostuen)

Senate Bill No. 56. A Bill for an Act to Amend and Re-enact Section 2093 of 1925 Supplement to the Compiled Laws of 1913, and Sections 2127, 2133, 3642, 3643 and 3872 of the Compiled Laws of 1913, and Sections 2125 and 3871 of the Compiled Laws of 1913, as Amended and Re-enacted by Chapter 248 of Session Laws of 1929, Relating to the Division of Unorganized Territory Into Assessors Districts;

the Election, Qualifications and Compensation of Assessors of Townships of Unorganized Districts; Listing of Real and Personal Property for Taxation; Changing the Assessor's Date from April 1, to May 1, and Changing the Time Within Which Assessors and Boards of Review Are Required to Perform Their Duties; Repealing Conflicting Provisions and Declaring an Emergency.

Introduction, first reading, 114.
Reference, 115.
Reported back, 212.
Indefinitely postponed, 212.

Senate Bill No. 57—(Bonzer)

Senate Bill No. 57. A Bill for an Act to Amend and Re-enact Section 486 of the Compiled Laws of North Dakota of 1913, as Amended and Re-enacted by Section 2 of Chapter 211 of the Session Laws of 1927, and as Further Amended and Re-enacted by Chapter 185 of Session Laws of 1929 and Section 2 of Chapter 211, Session Laws of 1927. Provides qualifications of applicants for license as registered pharmacist include graduate of school or college of pharmacy; that years of practical experience in retail pharmacy be reduced from three to two years.

Introduction, first reading, 124.
Reference, 124, 235.
Reported back, 197, 648.
Amended, 197, 207, 648.
Passed, 221, 847, 1413, 1466.
Sent to House, 233, 885, 1597.
Reconsidered, 235, 1428.
Other action, 535, 1413, 1415, 1423.
Returned to Senate, 561, 1614.
Conference committee, 1406, 1408, 1414, 1428, 1434, 1446, 1464, 1485, 1492.
Signed by President, 1596.
Sent to Governor, 1630.

Senate Bill No. 58—(Committee on Employment)

Senate Bill No. 58. A Bill for an Act to Amend and Re-enact Section 34, Compiled Laws of 1913, Relating to Officers and Employees and Compensation Thereof, of the Legislative Assembly, and Declaring an Emergency.

Introduction, first reading, 124.
Reference, 124.
Other action, 128, 130, 131.
Amended, 131.
Passed, 132.
Sent to House, 136, 160.
Returned to Senate, 158, 161.
Signed by President, 160.
Sent to Governor, 162.
Approved by Governor, 165.

Senate Bill No. 59—(Bonzer)

Senate Bill No. 59. A Bill for an Act to Amend and Re-enact Section 559 of the 1913 Revised Statute, Relating to Appointments of the Board of Examiners.

Introduction, first reading, 124.

Reference, 124.

Reported back, 308.

Indefinitely postponed, 308.

Senate Bill No. 60—(Bonzer)

Senate Bill No. 60. A Bill for an Act to Amend and Re-enact Section 2836 of the Year 1913 Revised Statute (Section 2836, 1925 Supplement), Relating to Appointments of Deputy Commissioner of Agriculture and Labor.

Introduction, first reading, 124.

Reference, 124.

Withdrawn, 139, 250.

Senate Bill No. 61—(Nelson of Grand Forks)

Senate Bill No. 61. A Bill for an Act Defining, Licensing, and Regulating Dealers at Wholesale, Defining the Words "Produce," "Person," and "Commissioner"; Providing Procedure to Obtain a License, the Date of Expiration of Licenses, the Fee for License, and the Posting of License; Fixing the Amount of Bonds for Dealers at Wholesale, and Prescribing the Conditions of Bonds; Providing for the Filing of Commission Schedules, the Keeping of Records and the Report to Shippers by Dealers at Wholesale; Providing for Appeals from Rulings of the Commissioner and the Method of Taking Appeals; Providing for the Handling and Disposition of Money Received from License Fees; Imposing Certain Duties upon and Granting Certain Powers to the Commissioner of Agriculture, and Prescribing Penalties for the Violation of This Act.

Introduction, first reading, 140.

Reference, 141.

Reported back, 747.

Indefinitely postponed, 747.

Senate Bill No. 62—(Gronvold)

Senate Bill No. 62. A Bill for an Act to Repeal Chapter 150 of the Session Laws of 1933, Authorizing Crop Mortgages in Favor of U. S., Etc., Including Bank of North Dakota.

Introduction, first reading, 141.

Reference, 141.

Withdrawn, 617.

Senate Bill No. 63—(Committee on Appropriations)

Senate Bill No. 63. A Bill for an Act Providing for the

Appointment and Removal at Pleasure of a Procurement Officer for State Park Emergency Conservation Work as Required Under the Rules and Regulations of the Act of Congress Known as the Emergency Conservation Work Act, and of Assistant, Fixing Their Salary and Making Appropriation Therefor, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 141.
 Reference, 141.
 Reported back, 201.
 Amended, 201.
 Passed, 224, 535.
 Sent to House, 233, 559.
 Returned to Senate (Amended), 534, 583.
 Other action, 534, 535, 536.
 Signed by President, 559.
 Sent to Governor, 617.
 Approved by Governor, 628.

Senate Bill No. 64—(Gronvold)

Senate Bill No. 64. A Bill for an Act to Amend and Re-enact Chapter 9 of the Session Laws of North Dakota of 1933, Relating to Wolf Bounty; and Declaring an Emergency.

Introduction, first reading, 141.
 Reference, 141.
 Reported back, 188.
 Amended, 188.
 Passed, 223.
 Sent to House, 233, 560.
 Returned to Senate, 518, 583.
 Signed by President, 559.
 Sent to Governor, 617.
 Approved by Governor, 629.

Senate Bill No. 65—(Committee on Appropriations)

Senate Bill No. 65. A Bill for an Act Making an Appropriation to Provide for the Payment to the City of Bismarck, North Dakota, Its Actual Expenses Incurred for the Use of the Municipal Auditorium and World War Memorial Building by the 1933 Legislative Assembly for Labor, Steamheat, Light and Power, Water, Janitors and Washroom Supplies, and Repairs and Miscellaneous Items.

Introduction, first reading, 141.
 Reference, 141.
 Reported back, 188.
 Passed, 205.
 Sent to House, 215.
 Returned to Senate, 563, 643.
 Signed by President, 618.
 Sent to Governor, 699.
 Approved by Governor, 814.

Senate Bill No. 66—(Committee on Taxes and Tax Laws)

Senate Bill No. 66. A Bill for an Act to Provide for the Creation of a North Dakota Tax Survey Commission, Defining its Powers and Duties, and Making an Appropriation Therefor, and Declaring an Emergency.

Introduction, first reading, 155.
 Reference, 155, 189.
 Reported back, 189, 200.
 Other action, 189, 223.
 Amended, 200.
 Passed, 239, 379.
 Sent to House, 241, 462, 619.
 Returned to Senate (Amended), 303, 482.
 Conference committee, 312, 328, 368, 378.
 Signed by President, 461.
 Approved by Governor, 559.

Senate Bill No. 67—(Miklethun, by request)

Senate Bill No. 67. A Bill for an Act to Provide for the Removal of Buildings, Windmills, or Other Improvements of a Temporary or Permanent Character, Except Fences, Which Are Placed Upon Lands After the Said Lands Have Been Encumbered, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 168.
 Reference, 168.
 Reported back, 371.
 Other action, 471.
 Indefinitely postponed, 480.

Senate Bill No. 68—(Miklethun)

Senate Bill No. 68. A Bill for an Act Amending and Re-enacting Sections 1, 4, 6 and 7 of Chapter 199 of the Session Laws of 1933, Establishing and Creating the North Dakota Regulatory Department, Providing for Appointment of a Director, Assistant Director and Seven Inspectors of said Regulatory Department, Fixing Their Salaries and Expenses, Providing for the Deposit of All Moneys Collected by Said Regulatory Department in a Revolving Fund to Be Designated as the "State Regulatory Fund" and the Payment of All Salaries and Expenses Out of Such Fund Upon Allowance by the State Auditing Board, for the Transfer Monthly of Part of Said Fund to the General Fund of the State. Providing for the Duties of Said Director, Assistant Director and Expenses of Said Department, Transferring to Said Regulatory Department from the Officers Now Charged Therewith the Enforcement of Certain Regulatory Laws of This State, Imposing Certain Duties as to Inspection and Licensing of Weights and Measures and as to Collection of Certain Taxes, Providing for Additional Help and for Purchase of Equipment for Said Department, Requiring Officers and Board Superseded by Said Department to Account for and Deliver Books and Equipment of Their Office, and

Repealing All Acts or Parts of Acts in Conflict Herewith, Declaring an Emergency and Providing for Transfer of Certain Unexpended Funds.

Introduction, first reading, 168.
Reference, 168.
Reported back, 231.
Indefinitely postponed, 232.

Senate Bill No. 69—(Nelson of Grand Forks, Nelson of Barnes, Fowler and Greene of Cavalier)

Senate Bill No. 69. A Bill for an Act to Amend and Re-enact Article IV, Sections 1151, 1155, 1158, and Article V, Sections 1160 and 1162 of the Compiled Laws of North Dakota, 1913, Providing the Manner of Holding and Fixing the Date for Annual School Elections in Common School Districts; Providing How and When Reports of Clerk and Treasurer Shall Be Made; Also Providing Date When School Officers Shall Qualify and When Annual Budget and Levy Shall Be Made.

Introduction, first reading, 168.
Reference, 169, 439.
Reported back, 354, 649.
Amended, 649.
Passed, 851.
Sent to House, 885.
Returned to Senate (indefinitely postponed), 1553.

Senate Bill No. 70—(Thorson)

Senate Bill No. 70. A Bill for an Act to Require Non-Resident Teachers to Attend a Higher Institution of Learning Within the State for at Least Eight Weeks Before Being Eligible to Teach Within the State.

Introduction, first reading, 169.
Reference, 169.
Reported back, 355.
Indefinitely postponed, 355.

Senate Bill No. 71—(Committee on Appropriations)

Senate Bill No. 71. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit for Maintenance of the Capitol from February 1, 1935, to June 30, 1935, in the Office of the Board of Administration, and Declaring an Emergency.

Introduction, first reading, 182.
Reference, 182.
Reported back, 213.
Passed, 240.
Sent to House, 241, 619.
Returned to Senate, 564, 643.
Signed by President, 618.
Sent to Governor, 699.
Approved by Governor, 815.

Senate Bill No. 72—(Ettestad)

Senate Bill No. 72. A Bill for an Act to Amend and Re-enact Section 922, Compiled Laws of 1913, Relating to Posting of Notices of Primary Election.

Introduction, first reading, 183.
 Reference, 183.
 Reported back, 246.
 Amended, 265.
 Passed, 265.
 Sent to House, 280, 550.
 Returned to Senate, 480, 565.
 Signed by President, 548.
 Sent to Governor, 616.
 Approved by Governor, 629.

Senate Bill No. 73—(Bonzer)

Senate Bill No. 73. A Bill for an Act Requiring the Assessment and Levy of a Tax on All Coal Produced in North Dakota.

Introduction, first reading, 183.
 Reference, 183.
 Withdrawn, 336.

Senate Bill No 74—(Committee on Appropriations)

Senate Bill No. 74. A Bill for an Act to Provide for the Payment of the Expense of Auditing and Examining the Affairs of the North Dakota Mill and Elevator Association for the State Mill and Elevator at Grand Forks, the Bank of North Dakota, Including the Farm Loan Department, the State Hail Insurance Department, the Workmen's Compensation Bureau of the State of North Dakota, the Office of the Beer Commissioner of the State of North Dakota, the North Dakota State Regulatory Department, and the North Dakota Teachers Insurance and Retirement Fund and the Highway Department and the Motor Vehicle Department and the Game and Fish Department, by the State Board of Auditors Pursuant to Section 369-b of the Supplement to the Compiled Laws of North Dakota for 1913, as Amended by Chapter 186 of the Laws of 1933; Designating and Appropriating the Funds From Which Such Payment Shall Be Made; Providing for the Payment Into a Special Fund; Providing for the Repeal of Any Acts in Conflict Herewith.

Introduction, first reading, 190.
 Reference, 191.
 Reported back, 346.
 Amended, 346, 1681.
 Passed, 429, 1567, 1682.
 Sent to House, 453, 1717.
 Returned to Senate (amended), 1531, 1728.
 Other action, 1556, 1567, 1568, 1575, 1682, 1683.
 Conference Committee, 1561, 1595, 1659, 1681, 1683, 1688.
 Reconsidered, 1595.
 Signed by President, 1717.
 Sent to Governor, 1740.

Senate Bill No. 75—(Jones and Stucke)

Senate Bill No. 75. A Bill for an Act to Provide for Liens in Favor of Hospitals and Other Charitable Institutions Furnishing Care, Treatment and Maintenance of Persons Injured in Accidents, not Subject to the Provisions of the Workmen's Compensation Act of North Dakota, for the Reasonable Value of the Service so Rendered, Upon the Rights of Action, Claims or Demands of Such Injured Persons, or Judgment Recovered Thereon, Against Other Persons, or Corporations, liable in Tort for Damages, on Account of Negligence Causing the Injuries, and Upon the Proceeds of the Settlements of Any Such Claims or Demands; and Upon and Against the Insurers of Such Tort Feasor or Tort Feasors; and Upon Insurance Held by the Injured Person, and Providing for Constructive Notice Upon Such Insurers, Tort Feasors and their Insurers, if any, by a Filing of a Lien Statement with the Clerk of the District Court of the County in Which Such Services Are Rendered.

Introduction, first reading, 191.
 Reference, 191, 440.
 Reported back, 356, 596.
 Amended, 356, 596.
 Passed, 677.
 Sent to House, 685, 1249.
 Returned to Senate, 1163, 1309.
 Signed by President, 1244.
 Sent to Governor, 1642.
 Approved by Governor, 1427.

Senate Bill No. 76—(Jones)

Senate Bill No. 76. A Bill for an Act to Prevent the Importation and Sale of Infected Fruit; Providing for the Seizure of Infected Fruit, and Defining Penalties.

Introduction, first reading, 191.
 Reference, 191.
 Reported back, 277.
 Other action, 298, 576, 578.
 Passed, 298, 576.
 Sent to House, 311, 619.
 Returned to Senate, 576, 643.
 Signed by President, 618.
 Sent to Governor, 699.
 Approved by Governor, 815.

Senate Bill No. 77—(Drew and Eastgate)

Senate Bill No. 77. A Bill for an Act Amending Section 1674 of the Compiled Laws of North Dakota, 1913, Relating to School of Forestry of Bottineau, North Dakota, Limiting the Object of Said School, and Permitting, Under Supervision of the Board of Administration, the Use by the North Dakota State Tuberculosis Sanatorium of Part of Its Grounds and Buildings Not Exclusively Used and Necessary

for Such Object, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 191.
 Reference, 191.
 Reported back, 767, 881.
 Amended, 767.
 Other action, 767, 768, 838, 883.
 Indefinitely postponed, 767, 882.
 Reconsidered, 767.

Senate Bill No. 78—(McDonald and McGillic)

Senate Bill No. 78. A Bill for an Act Providing for Relief of Unemployment, Organization of Industry, Removal of Burdens From and Obstructions to the Free Flow of Commerce, for the Establishment of Codes of Fair Competition Within the State of North Dakota to Provide for the General Welfare of Our People, and to Encourage State and National Recovery by Cooperating With the National Government in Fostering and Enforcing Codes of Fair Competition, and Declaring an Emergency.

Introduction, first reading, 204.
 Reference, 204, 726.
 Reported back 447, 768.
 Amended, 447, 983.
 Other action, 448, 560, 956, 984.
 Lost, 983.

Senate Bill No. 79—(Thatcher, by request)

Senate Bill No. 79. A Bill for an Act to Amend and Re-enact Section 53, Chapter 148 of the 1931 Session Laws, Relating to Commercial Fishing, Application for License and Cost Thereof.

Introduction, first reading, 204.
 Reference, 204.
 Reported back, 401.
 Other action, 472, 502.
 Passed, 501.
 Sent to House, 515.
 Returned to Senate, 757.
 Indefinitely postponed, 757.

Senate Bill No. 80—(Thatcher)

Senate Bill No. 80. A Bill for an Act to Amend and Re-enact Section 2178 of the Compiled Laws of 1913 Relating to Fees of Sheriff or His Deputy for Making Distress and Sale of Goods and Chattels, for the Payment of Taxes, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 204.
 Reference, 204.
 Reported back, 248.
 Passed, 266.

Sent to House, 279, 619.
 Returned to Senate, 564, 644.
 Signed by President, 618.
 Sent to Governor, 699.
 Approved by Governor, 815.

Senate Bill No. 81—(Lynn)

Senate Bill No. 81. A Bill for an Act to Amend and Re-enact Subdivisions (a) and (b) of Section 1 of Chapter 279 being an Amendment of Section 2166 of the Supplement to the 1913 Compiled Laws of the State of North Dakota as Amended and Re-enacted by Section 3 of the Chapter 241 of the Session Laws of the State of North Dakota for 1929 and as Again Amended and Re-enacted in Chapter 279 of the Session Laws for the year 1931, relating to the Maturity and Delinquency of Personal Property Taxes.

Introduction, first reading, 204.
 Reference, 205.
 Reported back, 275.
 Indefinitely postponed, 275.

Senate Bill No. 82—(Ettestad)

Senate Bill No. 82. A Bill for an Act to Amend and Re-enact Section 2203, Supplement to the Compiled Laws of 1913, Providing for the Assignment of Tax Sale Certificates Held by the County, Amount to Be Paid for an Assignment Thereof, and Prescribing the Form of Such Assignment.

Introduction, first reading, 205.
 Reference, 205.
 Reported back, 276.
 Amended, 276.
 Passed, 297.
 Sent to House, 311, 550.
 Returned to Senate, 481, 565.
 Signed by President, 548.
 Sent to Governor, 616.
 Approved by Governor, 629.

Senate Bill No. 83—(Miklethun)

Senate Bill 83. A Bill for an Act to Amend and Re-enact the Initiated Measure Approved June 29, 1932, Entitled, "An Act to Amend and Re-enact Chapter 59 of the Laws of North Dakota for the Year 1917 as Amended by Chapter 220 of the Laws of North Dakota, Enacted by the Regular Session of the Legislature, for the Year 1919 as Amended by Chapter 298 of the Laws of North Dakota for the Year 1923, the Same Being Section 2122a of the 1925 Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Basis of Assessment of Property for Taxation Purposes, and to Reduce Such Basis from Seventy-five (75) per cent of the Full and True Value Thereof to Fifty (50) per cent of the Full and True Value Thereof, and Repealing All Acts or Parts of Acts in Conflict Herewith," Re-

lating to the Basis of Assessment of Property for Taxation Purposes, and to Raise Such Basis from Fifty (50) per cent of the Full and True Value Thereof to One Hundred (100) per cent of the Full and True Value Thereof, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 218.
Reference, 218.
Reported back, 335.
Indefinitely postponed, 335.

Senate Bill No. 84—(Miklethun)

Senate Bill No. 84. A Bill for an Act Limiting the Maximum Amount of Taxes Which Assessment Board May Levy and Assess Against Property, Real, Personal, and Mixed.

Introduction, first reading, 218.
Reference, 218.
Reported back, 335.
Indefinitely postponed, 335.

Senate Bill No. 85—(Miklethun)

Senate Bill No. 85. A Bill for an Act Providing for Means and Methods of Obtaining Service Upon a Non-resident Using the Highways of the State of North Dakota, and Providing the Time Within Which Such Defendant May Answer.

Introduction, first reading, 218.
Reference, 218.
Reported back, 448.
Amended, 449.
Passed, 510, 1110.
Sent to House, 516, 1135.
Returned to Senate (amended), 1109, 1153.
Other action, 1110.
Signed by President, 1131.
Sent to Governor, 1332.

Senate Bill No. 86—(Miklethun and Peterson)

Senate Bill No. 86. A Bill for an Act to Provide for Certain Exemptions from Taxation for Farm Owners Living Upon Their Farm.

Introduction, first reading, 218.
Reference, 219.
Reported back, 336.
Indefinitely postponed, 336.

Senate Bill No. 87—(Vinje and Thatcher)

Senate Bill No. 87. A Bill for an Act Regulating the Licensing of Persons Operating Motor Vehicles Upon the Highways of the State and Providing the Manner for Procuring License, Fees Therefor and Disposition of Fees, Ex-

empting Certain Persons, for Suspension of License, and Appeal Therefrom, for Revocation of License, and Reinstatement, for Administration by State Highway Commissioner, Providing Penalties for Violations, and Repealing Acts in Conflict Therewith.

Introduction, first reading, 219.
Reference, 219.
Reported back, 738.
Indefinitely postponed, 739.

Senate Bill No. 88—(Bonzer)

Senate Bill No. 88. A Bill for an Act to Amend and Re-enact Sub-division (e) of Section 1 of Chapter 161, Session Laws of 1933 Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Introduction, first reading, 219.
Reference, 219.
Reported back, 349.
Amended, 349, 1651.
Passed, 433, 1651.
Sent to House, 454, 1707.
Other action, 1461, 1652.
Returned to Senate (Amended), 1466, 1721.
Conference committee, 1494, 1500, 1522, 1581, 1582, 1586, 1602, 1651, 1654, 1655.
Signed by President, 1706.
Sent to Governor, 1741.

Senate Bill No. 89—(Bonzer)

Senate Bill No. 89. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 162 of the 1933 Session Laws, Providing for Taxation of Motor Vehicles Using the Highways of the State of North Dakota for Commercial Purposes, and Engaged in Transportation for Hire in Interstate Commerce.

Introduction, first reading, 219.
Reference, 219.
Reported back, 334.
Amended, 334.
Passed, 393.
Sent to House, 405, 660.
Returned to Senate, 582, 690.
Signed by President, 658.
Sent to Governor, 727.
Approved by Governor, 1065.

Senate Bill No. 90—(Bonzer)

Senate Bill No. 90. A Bill for an Act to Amend and Re-enact Section 36 of Chapter 162 of the Session Laws of North Dakota for the Year 1927 as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1931, and as Amended by Chapter 163 of the Session Laws of

North Dakota for the Year 1933, Prescribing and Relating to the Size of Motor Vehicles and Loads of Motor Vehicles, That May Be Driven or Moved Upon the Highways of the State of North Dakota, and Prescribing Penalty for Violation Thereof.

Introduction, first reading, 219.
Reference, 219.
Reported back, 401.
Amended, 401, 415.
Passed, 476, 1267.
Other action, 477, 1267, 1281.
Sent to House, 488, 1324.
Returned to Senate (Amended), 1266, 1402.
Signed by President, 1318.
Sent to Governor, 1644.
Approved by Governor, 1489.

Senate Bill No. 91—(Bonzer)

Senate Bill No. 91. A Bill for an Act Requiring Issuance of Receipt for Road Tax Paid Interstate Carriers, and Requiring Posting of Receipts, and Providing a Penalty for Violation Thereof, and Declaring an Emergency.

Introduction, first reading, 219.
Reference, 219.
Reported back, 333.
Passed, 392, 855.
Sent to House, 405, 665, 883.
Returned to Senate, 664, 721, 917.
Other action, 665.
Conference committee, 717, 718, 810, 811.
Amended, 811.
Signed by President, 880.
Sent to Governor, 1064.
Approved by Governor, 1138.

Senate Bill No. 92—(Bonzer)

Senate Bill No. 92. A Bill for an Act to Amend and Re-enact Subdivision (i) of Section 1 of Chapter 188 of the Laws of 1931.

Introduction, first reading, 220.
Reference, 220.
Reported back, 350.
Indefinitely postponed, 350.

Senate Bill No. 93—(Bonzer)

Senate Bill No. 93. A Bill for an Act to Authorize and Direct the Board of Administration to Appoint a Chancellor for the Institutions of Higher Learning of the State, Eliminating Unnecessary Duplication, and Providing for the

Co-ordination of Courses of Study in Our State Educational Institutions Insofar as it is Practicable.

Introduction, first reading, 220.
 Reference, 220.
 Reported back, 739.
 Indefinitely postponed, 739.

Senate Bill No. 94—(Thorson)

Senate Bill No. 94. A Bill for an Act to Provide for Physical Examination and Qualifications of Persons Engaged in Driving Motor Propelled Vehicles Used for the Transportation of School Children, and to Provide Mechanical Inspection and Requirements of Such Vehicles, Also Providing for the Enforcement of the Provisions of This Act, and Punishment for Violation Thereof.

Introduction, first reading, 220.
 Reference, 220.
 Reported back, 586.
 Amended, 587, 666.
 Other action, 666.
 Passed, 666.
 Sent to House, 684.
 Returned to Senate, 1061.
 Indefinitely postponed by House, 1061.

Senate Bill No. 95—(Cain)

Senate Bill No. 95. A Bill for an Act to Amend and Re-enact Section 7643, Supplement to the Compiled Laws of 1913, Relating to Directed Verdicts, and Declaring an Emergency.

Introduction, first reading, 235.
 Reference, 236.
 Reported back, 332.
 Passed, 391.
 Sent to House, 405, 660.
 Returned to Senate, 583, 690.
 Signed by President, 658.
 Sent to Governor, 727.

Senate Bill No. 96—(Committee on Insurance)

Senate Bill No. 96. A Bill for an Act to Amend and Re-enact Sections 189b1 and 189b6 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota and to Amend and Re-enact Sections 189b3, 189b5, 189b7, 189b8, 189b9, 189b10, 189b11, 189b12, 189b13, 189b15, 189b21, 189b25, and 189b29 of the 1925 Supplement to the 1913 Compiled Laws of North Dakota as Amended and Re-enacted by Chapter 170 of the 1931 Session Laws of North Dakota, and as Amended and Re-enacted by Sections 1, 2, 3, 4, 5, 7, 10, 11, 12, 15, 17, and 18 of Chapter 137 of the 1933 Session Laws of North Dakota, and Section 10 of Chapter 170 of the 1931 Session Laws of the State of North Dakota, Repealing All Acts or Parts of

Acts in Conflict Herewith; Relating to State Hail Insurance, Providing for Insuring Crops Against Loss by Hail, Defining Duties of the Assessors; Providing for Collections of Taxes, Fixing Amounts and Providing for Adjustment of Claims of Indemnity; and Abatement of Hail Indemnity Tax and Correction of Records and Declaring an Emergency.

Introduction, first reading, 236.
 Reference, 236.
 Reported back, 313.
 Amended, 313, 394, 395, 502, 503. 1496,
 Other action, 395, 429, 502, 503, 504, 1496, 1497, 1498.
 Passed, 504, 1497.
 Sent to House, 516, 1500.
 Conference committee, 1428, 1431, 1434, 1448, 1484, 1495.
 Returned to Senate (Indefinitely postponed), 1667.

Senate Bill No. 97—(Jones and Coffey)

Senate Bill No. 97. A Bill for an Act Relating to Re-funding Special Improvement Warrants, Repealing Chapter 178 of the Session Laws of North Dakota for 1929 and All Other Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, 236.
 Reference, 236.
 Reported back, 378.
 Amended, 378, 471.
 Passed, 472.
 Sent to House, 487, 735.
 Returned to Senate, 687, 773.
 Signed by President, 732.
 Approved by Governor, 1138.

Senate Bill No. 98—(Jones and Coffey)

Senate Bill No. 98. A Bill for an Act to Amend and Re-enact Sub-section (3) of Section 1, Chapter 196, Session Laws of North Dakota for the Year 1927, and Declaring an Emergency.

Introduction, first reading, 236.
 Reference, 236, 551.
 Reported back, 377, 740.
 Amended, 377, 550, 740.
 Other action, 471, 480, 526, 551, 1461, 1494, 1500.
 Passed, 911, 1495.
 Sent to House, 925, 1597.
 Returned to Senate (Amended), 1466, 1614.
 Signed by President, 1597.
 Sent to Governor, 1630.

Senate Bill No. 99—(Brostuen)

Senate Bill No. 99. A Bill for an Act to Amend and Re-enact Sub-section 8 of Section 4 of Chapter 196, Session Laws of North Dakota for 1927, Entitled "An Act Govern-

ing 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, 2882a1, 2882a2, 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," Relating to Municipalities, Including School Districts, Borrowing Money by Means of Bond Issues, in Order to Provide Necessary Funds for Payment of Principal and Interest of Bonds Due or About to Become Due, and Declaring When Certain Bonds are Considered as Due and Payable.

Introduction, first reading, 236.
 Reference, 237.
 Reported back, 740.
 Indefinitely postponed, 740.

Senate Bill No. 100—(Brostuen and Trovatten)

Senate Bill No. 100. A Bill for an Act to Amend and Re-enact Sections 1, 2, 3, Sub-Section (b) of Section 4, and Section 13 of Chapter 215, Session Laws of 1931.

Introduction, first reading, 237.
 Reference, 237, 560.
 Reported back, 413, 488, 764.
 Amended, 413, 488, 765.
 Other action, 413, 526, 765, 955, 1726.
 Passed, 954.
 Sent to House, 978.
 Returned to Senate (Indefinitely postponed), 1491.

Senate Bill No. 101—(Brostuen and Trovatten)

Senate Bill No. 101. A Bill for an Act to Establish a Standardized and Uniform System of Grading, Labeling and Inspecting Potatoes and Regulating the Sale and Distribution of the Same, Defining Certain Terms, Designating Standard Grades, Providing for an Inspection Service and for the Fixing of Fees and Other Charges and the Disposition of the Same, Defining Violations and Providing Penalties Therefor, Defining Certain Cooperative Functions, Charging Carriers with Certain Responsibilities, Providing for Enforcement and Prosecution, Providing for Effect of Partial Invalidity, and Providing for Administration of the Act Through the State Seed Commissioner and Giving Him Authority to Make Necessary Rules and Regulations, and to

Administer Oaths, and to Have Free Access and Power of Seizure, and Providing for Supersedence of This Act.

Introduction, first reading, 237.
 Reference, 237, 560.
 Reported back, 414, 765.
 Amended, 414, 766.
 Other action, 475, 956, 1726.
 Passed, 955.
 Sent to House, 978.
 Returned to Senate (Indefinitely postponed), 1448.

Senate Bill No. 102.—(Committee on Appropriations)

Senate Bill No. 102. A Bill for an Act to Amend and Reenact Section 1866A4 and Repeal Section 1866a6, Supplement to the Compiled Laws of 1913, Relating to the Northwest Agricultural Livestock and Fair Association, and Declaring an Emergency.

Introduction, first reading, 237.
 Reference, 237.
 Reported back, 292.
 Passed, 319.
 Sent to House, 326, 619.
 Returned to Senate, 564, 644.
 Signed by President, 618.
 Sent to Governor, 699.
 Approved by Governor, 815.

Senate Bill No. 103.—(Committee on Appropriations)

Senate Bill No. 103. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Maintenance of the Office of State Treasurer for the Remainder of the Fiscal Year Ending June 30, 1935, and Declaring an Emergency.

Introduction, first reading, 237.
 Reference, 238.
 Reported back, 291.
 Passed, 318.
 Sent to House, 326, 620.
 Returned to Senate, 564, 644.
 Signed by President, 618.
 Sent to Governor, 700.
 Approved by Governor, 815.

Senate Bill No. 104—(McDonald)

Senate Bill No. 104. A Bill for an Act to Prohibit the Employment of Married Women in All State or County Offices, Departments, Bureaus, Boards, and Commissions; and Providing a Penalty Therefor.

Introduction, first reading, 238.
 Reference, 238.
 Reported back, 446.

Amended, 446, 509.
 Passed, 510.
 Other action, 510.
 Sent to House, 549.
 Returned to Senate (Indefinitely postponed), 1449.

Senate Bill No. 105—(Erickson and Matthaei)

Senate Bill No. 105. A Bill for an Act Regulating the Right and Remedy to Recover Damages for Negligence, or Wanton, Willful or Wrongful Act, Resulting in Loss of Human Life, or Injury to Person or Property; Modifying the Common Law Rule of Contributory Negligence; Providing for Survival of Cause of Action in Case of Death and for Making Insurer a Party to Action, and Exempting from the Provisions Hereof Certain Classes of Cases.

Introduction, first reading, 238.
 Reference, 238.
 Reported back, 741.
 Indefinitely postponed, 741.

Senate Bill No. 106—(Erickson and Matthaei)

Senate Bill No. 106. A Bill for an Act to Repeal Chapter 184 of the Laws of North Dakota for 1931, Relating to Relieving the Owner, Driver, or Person Responsible for the Operation of a Motor Vehicle Upon the Public Highways from Civil Liability for the Accidental Death of or Injury to a Guest Riding in Such Vehicle.

Introduction, first reading, 238.
 Reference, 238.
 Reported back, 698.
 Indefinitely postponed, 698.
 Other action, 698.

Senate Bill No. 107—(Miklethun)

Senate Bill No. 107. A Bill for an Act to Amend and Re-enact Section 339 of the Compiled Laws of North Dakota for 1913, Relating to Selection of School Lands for Leasing, Advertising Same, Auction When Held, Commencement of Lease, and Repealing All Acts in Conflict Therewith.

Introduction, first reading, 252.
 Reference, 252.
 Reported back, 747.
 Amended, 747.
 Passed, 948.
 Other action, 949.
 Sent to House, 978.
 Returned to Senate (indefinitely postponed), 1449.

Senate Bill No. 108—(Mutchler)

Senate Bill No. 108. A Bill for an Act to Amend and Re-enact Section 36 of Chapter 162 of the Session Laws of

North Dakota for 1927 as Amended by Chapter 190 of the Session Laws of North Dakota for the Year 1931 and as Further Amended by Chapter 163 of the Session Laws of North Dakota for the Year 1933.

Introduction, first reading, 252.
 Reference, 252.
 Reported back, 333.
 Indefinitely postponed, 333.

Senate Bill No. 109—(Committee on Appropriations)

Senate Bill No. 109. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Appropriation for Printing Expense of the Twenty-third Session of the Legislative Assembly of the State of North Dakota.

Introduction, first reading, 253.
 Reference, 253.
 Reported back, 307.
 Amended, 338.
 Passed, 338.
 Sent to House, 344, 620.
 Returned to Senate, 564, 644.
 Signed by President, 618.
 Sent to Governor, 700.
 Approved by Governor, 815.

Senate Bill No. 110—(Committee on Judiciary)

Senate Bill No. 110. A Bill for an Act Declaring the Draining of a Meandered Lake Within the State of North Dakota to Be a Misdemeanor and Providing Penalties Therefor.

Introduction, first reading, 253.
 Reference, 253.
 Reported back, 330.
 Amended, 330.
 Passed, 390.
 Sent to House, 405, 883.
 Returned to Senate, 757, 918.
 Signed by President, 816.
 Sent to Governor, 1064.
 Approved by Governor, 1065.

Senate Bill No. 111—(Whelan, Cain, Fowler and Nelson of Grand Forks)

Senate Bill No. 111. A Bill for an Act Defining and Relating to Narcotic Drugs; Specifying the Persons Who May Sell, Prescribe, and Have Such Drugs in Their Possession; Establishing Regulations for the Manufacturer and Sale Prescription; Providing for License; Fixing Penalty for Violation of the Law and Repealing All Acts in Conflict Herewith.

Introduction, first reading, 253.
 Reference, 253.

Reported back, 739.
 Other action, 904, 905.
 Lost, 904.
 Reconsidered, 905.
 Indefinitely postponed, 941.

Senate Bill No. 112—(Committee on Appropriations)

Senate Bill No. 112. A Bill for an Act Making an Appropriation for the Purpose of Paying Salaries, Stenographers, and Clerkhire, Express and Freight, Postage, Telegrams and Telephones, Office Supplies, Printing, Traveling Expenses, and Miscellaneous Expenses of the State Geological Survey, and Declaring an Emergency.

Introduction, first reading, 253.
 Reference, 253.
 Reported back, 310.
 Amended, 310.
 Passed, 339.
 Sent to House, 340, 735.
 Returned to Senate, 613, 773.
 Other action, 620, 621.
 Conference committee, 620, 646, 716.
 Signed by President, 732.
 Approved by Governor, 1065.

Senate Bill No. 113—(Cain)

Senate Bill No. 113. A Bill for an Act Amending and Re-enacting Section 1 of Chapter 267 of the 1933 Session Laws Relating to the Duty of the County Treasurer to Receive County Warrants in Payment of Certain Taxes, Repealing All Acts in Conflict Therewith and Declaring an Emergency.

Introduction, first reading, 263.
 Reference, 263.
 Reported back, 352.
 Other action, 436.
 Passed, 478.
 Sent to House, 488.
 Returned to Senate, 686.
 Indefinitely postponed, 686.

Senate Bill No. 114—(Miklethun, Eastgate, Drew and Peterson)

Senate Bill No. 114. A Bill for an Act Relating to Funding and Refunding Existing Indebtedness of Municipalities and Declaring an Emergency.

Introduction, first reading, 263.
 Reference, 263, 400.
 Reported back, 377, 485, 522.
 Amended, 377, 485, 522, 523.
 Other action, 486, 523.
 Passed, 566.
 Sent to House, 580, 1444.

Returned to Senate, 1370, 1492.
Signed by President, 1441.
Sent to Governor, 1629.

Senate Bill No. 115—(Lynn)

Senate Bill No. 115. A Bill for an Act to Amend and Re-enact Section 5446 of the Compiled Laws of the State of North Dakota for 1913, Relating to Transferability and Survivability of Things in Action.

Introduction, first reading, 263.
Reference, 263.
Reported back, 597.
Indefinitely postponed, 597.

Senate Bill No. 116—(Lynn)

Senate Bill No. 116. A Bill for an Act to Amend and Re-enact Section 8325 of the Compiled Laws of the State of North Dakota for 1913, Relating to Actions Arising Out of Personal Injury or Death Resulting From Wrongful Acts.

Introduction, first reading, 263.
Reference, 263.
Reported back, 597.
Indefinitely postponed, 597.

Senate Bill No. 117—(Bonzer, Lynn and Stucke)

Senate Bill No. 117. A Bill for an Act Making an Appropriation of Funds Accumulated Thru the Administration of the Provision of Chapter 244 of the Session Laws of 1923, for the Purpose of Assisting in Defraying the Expenses of the North Dakota American Legion Band in Attending the National Convention of the American Legion to be Held at St. Louis in the Year 1935; and the American Legion National Convention for 1936; and Repealing Acts in Conflict Herewith.

Introduction, first reading, 263.
Reference, 264.
Reported back 410.
Withdrawn, 474.

Senate Bill No. 118—(Bonzer)

Senate Bill No. 118. A Bill for an Act to License Persons, Firms and Corporations Engaged in the Sale and Distribution of Drugs, Herbs and Pharmaceutical Preparations Through Peddlers, and for the Licensing of Peddlers and Representatives of Such Persons, Firms or Corporations, Providing a Penalty for the Violation of the Provisions Hereof and Declaring an Emergency.

Introduction, first reading, 264.
Reference, 264.
Reported back, 363.
Indefinitely postponed, 363.

Senate Bill No. 119—(Bonzer)

Senate Bill No. 119. A Bill for an Act to Amend and Re-enact Sections 26, 27, 31, 32 and 33 of Chapter 164, of the Session Laws for 1933, Relating to Regulation of Motor Vehicle Transportation, Repealing All Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, 264.
 Reference, 264, 477.
 Reported back, 348, 586.
 Amended, 348, 586.
 Other action, 431.
 Passed, 665.
 Sent to House, 684, 1109.
 Returned to Senate, 1061, 1153.
 Signed by President, 1108.
 Sent to Governor, 1332.
 Approved by Governor, 1352.

Senate Bill No. 120—(Peterson)

Senate Bill No. 120. A Bill for an Act to Amend and Re-enact Section 2 of That Certain Initiated Law Entitled, "An Act Declaring Mortgages on Growing and Unharvested Crops to be Against the Public Policy of This State, and Abolishing the Same." Approved and Adopted by the Electors at the June 29th, 1932, Primary Election, Repealing Chapter 150, Session Laws of 1933, and Declaring an Emergency.

Introduction, first reading, 264.
 Reference, 264.
 Reported back, 355.
 Amended, 356, 478.
 Other action, 440, 478, 1711, 1714, 1715, 1716.
 Passed, 478, 1715.
 Sent to House, 516, 1711, 1734.
 Returned to Senate (indefinitely postponed), 1530.
 Recalled by House, 1711.
 Returned to Senate (amended), 1714, 1739.
 Signed by President, 1733.
 Sent to Governor, 1742.

Senate Bill No. 121—(Erickson)

Senate Bill No. 121. A Bill for an Act Prohibiting Public Utilities from Engaging in Any Subsidiary Line or Business, Directly or Indirectly, Prohibiting Such Public Utilities from Selling or Furnishing Goods, Wares, Service or Product Other Than Furnished in the Primary Business, or a By-product Created in the Natural Course of Business.

Introduction, first reading, 268.
 Reference, 268.
 Reported back, 748.
 Indefinitely postponed, 748.

Senate Bill No. 122—(McDonald and Cain)

Senate Bill No. 122. A Bill for an Act to Amend and Re-enact Sections 3084a2, 3084a3, 3084a7 and 3084a9, Supplement to the Compiled Laws of 1913, Providing for the Appointment of the State Coal Mine Inspector by the Workmen's Compensation Bureau, Defining Eligibility to That Office, Providing for Assistance and Instruments to Be Furnished to the Inspector and for Payment Therefor and Providing for the Filling of Temporary Vacancies in the Office, and Declaring an Emergency.

Introduction, first reading, 283.
Reference, 283.
Reported back, 331.
Amended, 331.
Passed, 391, 620.
Sent to House, 405, 660.
Returned to Senate, 614, 690.
Other action, 620, 621.
Signed by President, 658.
Sent to Governor, 728.

Senate Bill No. 123—(McDonald and Cain)

Senate Bill No. 123. A Bill for an Act Providing for the Procuring of Coal Mine Licenses from the State Coal Mine Inspector, the Establishment of the State Coal Mining Safety Fund from Such Fees and for the Disbursement Thereof, Providing for the Keeping and Furnishing by Coal Mine Operators of Such Records and Statistics and Reporting Thereof to the State Coal Mine Inspector and Commissioner of Agriculture and Labor, Giving the State Coal Mine Inspector Power to Revoke Licenses and Enjoin the Operation of Unlicensed Mines, Providing for an Appeal to the District Court from Such Order of Revocation, Providing a Penalty for Failure to Comply with the Law, Repealing Sections 3081, 3082, 3083 and 3084 of the Compiled Laws of the State of North Dakota for the Year 1913 and all Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, 283.
Reference, 283, 391.
Reported back, 331, 556.
Amended, 323, 557.
Passed, 629.
Sent to House, 634, 1635.
Returned to Senate (amended), 1531, 1673.
Other action, 1557, 1558, 1564.
Passed, 1558.
Signed by President, 1631.
Sent to Governor, 1712.

Senate Bill No. 124—(Committee on Irrigation and Drainage)

Senate Bill No. 124. A Bill for an Act Declaring Water and/or Wildlife Conservation to Be a State Purpose, Provid-

ing the Governor and Board of University and School Lands with the Authority to Grant to the United States of America, or to Any of Its Instrumentalities or Agencies, Any and All Easement Rights as Shall Be Required for the Construction, Maintenance and Operation of Water and/or Wildlife Conservation Projects to Be Constructed on the Public Lands of the State of North Dakota, Declaring That Such Water and/or Wildlife Conservation Projects Shall Be Considered as a Benefit to Said Lands and Not to Diminish the Value or Purchase Price Thereof, Repealing Any and All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 284.
 Reference, 284.
 Reported back, 353.
 Passed, 438, 1063.
 Sent to House, 455, 1109.
 Returned to Senate (amended), 1061, 1153.
 Other action, 1062, 1063.
 Signed by President, 1108.
 Sent to Governor, 1332.
 Approved by Governor, 1352.

Senate Bill No. 125—(Committee on Irrigation and Drainage)

Senate Bill No. 125. A Bill for an Act Authorizing and Directing the Board of County Commissioners of the Several Counties to Remove from the Tax Rolls and Declare as Exempt from Taxation All Inundated Land Upon Which the Owner Thereof Has Granted or Shall Hereafter Grant to the United States of America, Its Instrumentalities or Agencies, a Permanent Easement for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Such Inundated Lands Shall Remain Exempt Until Such Time as the Water and/or Wildlife Conservation Projects Shall Have Been Abandoned, Providing That Such Power to Remove from the Tax Rolls or Declare as Exempt Shall Not Attach Until Such Time as the Construction of the Water and/or Wildlife Conservation Projects Shall Have Been Completed, and Declaring an Emergency.

Introduction, first reading, 284.
 Reference, 284.
 Reported back, 353.
 Amended, 353.
 Passed, 437.
 Sent to House, 455, 735.
 Returned to Senate, 687, 774.
 Signed by President, 732.

Senate Bill No. 126—(Committee on Irrigation and Drainage)

Senate Bill No. 126. A Bill for an Act Declaring All Water and/or Wildlife Conservation Projects, Including Wildlife Reservations, to Be a Public Purpose, Providing That All Lands Within the Ordinary High-water Mark of

Navigable Lakes Shall Be Under the Control of the State, Under Its Police Power, for the Purpose of Constructing, Maintaining and Operating Water and/or Wildlife Conservation Projects, Providing That Authority and Control Over Such Lands Shall Be Vested in the State Engineer, Defining the Term "Ordinary High-water Mark," Providing That All Meandered Lakes Shall Be Declared to Be Navigable Within the Meaning of This Act, Providing a Saving Clause, Repealing All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 284.
Reference, 284.
Reported back, 352.
Amended, 353.
Passed, 437.
Sent to House, 455, 735.
Returned to Senate, 687, 774.
Signed by President, 733.

Senate Bill No. 127—(Committee on Irrigation and Drainage)

Senate Bill No. 127. A Bill for an Act Providing That Any Person, Co-partnership or Corporation Who Has or May Acquire Any Right, Interest or Adverse Claim to Land Upon Which the United States of America or the State of North Dakota, Their Instrumentalities or Agencies, Shall Construct or Cause to Be Constructed Any Water and/or Wildlife Conservation Projects, Including All Reservoirs, Lakes and Wildlife Reservations, Must Give Written Notice of Any Such Right, Interest or Adverse Claim to the Agency or Instrumentality in Charge of Such Construction; Providing That the Commencement of Such Construction Shall Be Due Notice to All Such Parties Having Any Right, Interest or Adverse Claim, Providing That the Failure to Give Written Notice as Provided in This Act Within Thirty Days Thereafter Shall Preclude Any Further Claim, and Shall Establish the Legal Right of the United States or the State of North Dakota, Their Instrumentalities or Agencies, to Construct, Maintain and Operate Such Water and/or Wildlife Conservation Projects, Including Reservoirs, Lakes, and Wildlife Reservations, Repealing All Acts or Parts Thereof in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 285.
Reference, 285.
Reported back, 410.
Indefinitely postponed, 410.

Senate Bill No. 128—(Fine, McGillic and Gronvold)

Senate Bill No. 128. A Bill for an Act to Promote the Objects of the Act of Congress of the United States Entitled, "National Housing Act," approved June 27, 1934, and Acts Amendatory Thereof or Supplemental Thereto, by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, and Insurance Companies, to Make Loans Pursuant to Title I and II of the National Housing Act, and

by Authorizing Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Subdivisions, and Institutions and Agencies Thereof, and All Other Persons, Associations and Corporations, Subject to the Laws of This State, to Invest in Mortgages Insured, and in Debentures Issued, by the Federal Housing Administrator, and to Invest in Securities of National Mortgage Associations or Similar National Mortgage Credit Institutions Now or Hereafter Organized Under Title III of the National Housing Act, and by Excepting Banks, Savings Banks, Trust Companies, Building and Loan Associations, Insurance Companies, Executors, Administrators, Guardians, Trustees, and Other Fiduciaries, the State of North Dakota and its Political Subdivisions, and Institutions and Agencies Thereof, and All Other Persons, and Associations, Subject to the Laws of This State from the Application of Laws of This State Requiring Security Upon Which Loans or Investments May Be Made, or Limiting Making of Loans to Shareholders or Members of the Lender, or Prescribing the Nature, Amount or Form of Such Security, or Limiting or Prescribing the Interest Rates Upon Loans or Investments, or the Period for Which Loans or Investments May Be Made, Provided Such Loans, Securities or Investments Are Insured by the Federal Housing Administrator, and Providing for Invalidity, and Declaring an Emergency to Exist.

Introduction, first reading, 285.
 Reference, 286.
 Reported back, 365.
 Passed, 469.
 Sent to House, 487, 1170.
 Returned to Senate, 1105, 1183.
 Signed by President, 1151.
 Sent to Governor, 1333.
 Approved by Governor, 1418.

Senate Bill No. 129—(Miklethun)

Senate Bill No. 129. A Bill for an Act Providing for the Exemption of the Homestead as Defined by Law from Forced Sale for Payment of Debts, with Certain Exceptions and Prohibiting the Mortgaging or Incumbering of the Homestead, with Certain Exceptions.

Introduction, first reading 286.
 Reference, 286.
 Reported back, 370.
 Passed, 470.
 Other action, 471.
 Sent to House, 487.
 Returned to Senate, 687.
 Indefinitely postponed, 687.

Senate Bill No. 130—(Watt)

Senate Bill No. 130. A Bill for an Act to Amend and Re-

enact Section 18 of Chapter 227, Laws of 1931, Providing for the Regulation of Storage and Delivery Charges of Public Warehousemen and Providing for the Form of Receipt to Be Issued by Such Warehousemen.

- Introduction, first reading, 295.
- Reference, 295.
- Reported back, 694.
- Indefinitely postponed, 694.

Senate Bill No. 131—(Dubay and Gronvold)

Senate Bill No. 131. A Bill for an Act Authorizing and Empowering the Governor to Accept a Conveyance in Trust of the Lands Comprising the International Peace Garden to the State of North Dakota; Setting Forth the Terms and Conditions of the Trust; Vesting the Custody, Control, Possession, Supervision, Management and Operation of Such Lands in the Board of Directors of the International Peace Garden, Inc.; Vesting in the State Historical Society General Supervision of Such Lands, and Expressly Empowering the State Historical Society to Co-operate in the Establishment, Promotion and Development of the International Peace Garden for the Purpose of Furthering International Peace Among the Nations of the World; Providing for the Duration of Such Trust, and Repealing All Acts, or Parts of Acts, in Conflict Herewith, and Declaring That an Emergency Exists for the Immediate Enactment of This Act.

- Introduction, first reading, 295.
- Reference, 295.
- Reported back, 450.
- Amended, 451, 511.
- Other action, 511, 1268, 1281.
- Passed, 511, 1269.
- Sent to House, 549, 1324.
- Returned to Senate (Amended), 1266, 1402.
- Signed by President, 1318.
- Sent to Governor, 1644.
- Approved by Governor, 1428.

Senate Bill No. 132—(Peterson and Whelan)

Senate Bill No. 132. A Bill for an Act Defining Banking Institutions Within the Meaning of This Act; Authorizing Such Banking Institutions to Enter Into Such Contracts, Incur Such Obligations and Generally to do Such Acts as May Be Appropriate or Necessary to Take Advantage of Any and all Memberships, Loans, Subscriptions, Contracts, Grants, Rights or Privileges, Including the Right to Receive and Hold United States Postal Savings Deposits, Which May, at any Time, Be Available or Enure to Said Banking Institutions or Their Depositors, Stockholders, Conservators, Liquidators or Receivers, Under or by Virtue of Any Act, Regulation or Resolution of the Congress of the United States or Any Department, Board, Agency or Officer Thereof; to Aid, Regulate, Foster, Promote or Safeguard Banking Institutions and Depositors, Including the Act Creating

the Federal Deposit Insurance Corporation and Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which Said Banking Institutions, Their Stockholders, Depositors, Conservators, Liquidators or Receivers May Take Advantage of, Comply With and Act Upon the Rights and Privileges Hereby Granted to Them, and Declaring an Emergency.

Introduction, first reading, 295.
 Reference, 296.
 Reported back, 358.
 Passed, 440.
 Sent to House, 456, 1249.
 Returned to Senate, 1162, 1308.
 Signed by President, 1245.
 Sent to Governor, 1641.
 Approved by Governor, 1489.

Senate Bill No. 133—(Peterson and Whelan)

Senate Bill No. 133. A Bill for an Act Authorizing Banking Institutions to Issue and Sell Capital Notes or Debentures and Preferred Stock; Prescribing, Defining and Regulating the Manner, Terms, Conditions, Limitations and Restrictions Under and Upon Which the Same May Be Issued and Sold.

Introduction, first reading, 296.
 Reference, 296.
 Reported back, 359.
 Passed, 463.
 Sent to House, 486, 1325.
 Returned to Senate, 1239, 1403.
 Signed by President, 1319.
 Sent to Governor, 1644.

Senate Bill No. 134—(Peterson and Whelan)

Senate Bill No. 134. A Bill for an Act to Amend and Re-enact Section 17 of Chapter 96 of the Session Laws of North Dakota for the Year 1931, Relating to Capital Stock of Banks.

Introduction, first reading, 296.
 Reference, 296, 561.
 Reported back, 359, 713.
 Other action, 464, 515.
 Amended, 713.
 Passed, 906.
 Sent to House, 924, 1325.
 Returned to Senate, 1240, 1404.
 Signed by President, 1320.
 Sent to Governor, 1644.

Senate Bill No. 135—(Eastgate and Nelson of Grand Forks)

Senate Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1291, Compiled Laws of 1913, Concerning

Elections in Independent School Districts, Placing Control Thereof in the Hands of the Board of Education, and Providing for Special Elections in Such Districts and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 296.
Reference, 296.
Reported back, 355.
Amended, 355.
Passed, 439.
Sent to House, 455, 726.
Returned to Senate, 645, 758.
Signed by President, 717.

Senate Bill No. 136—(Brostuen)

Senate Bill No. 136. A Bill for an Act Amending Sections 2889b4, 2889b5 and 2889b6 Supplement to the Compiled Laws of 1913, Relating to Food and Drugs, and Known as the North Dakota Food and Drugs Act.

Introduction, first reading, 296.
Reference, 296.
Reported back, 748.
Amended, 748, 949.
Other action, 749, 949, 950.
Passed, 949.
Sent to House, 1009.
Returned to Senate (Indefinitely postponed), 1530.

Senate Bill No. 137—(Whelan)

Senate Bill No. 137. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 89 of the Session Laws of the State of North Dakota for the Year 1933, Relating to Prohibition Against Corporation Farming, and Declaring an Emergency.

Introduction, first reading, 296.
Reference, 296.
Reported back, 361.
Passed, 466.
Sent to House, 486, 1325.
Returned to Senate, 1107, 1242, 1404.
Indefinitely postponed by House, 1107.
Recalled by House, 1165.
Signed by President, 1320.
Sent to Governor, 1645.

Senate Bill No. 138—(Thatcher, Drew and Cain)

Senate Bill No. 138. A Bill for an Act Providing That Surety and Insurance Companies Other Than Life Insurance Companies, Shall Do Business in This State Only Through Duly Licensed Resident Agents, Regulating the Practice of Such Resident Agents, Providing That the Commissioner of Insurance Shall Have the Power to Refuse, Suspend or Re-

voke Licenses of Such Resident Agents, Authorizing the Commissioner of Insurance to Examine the Records of Surety or Insurance Companies, to Collect Premium Taxes on Surety or Insurance Companies That Have Transacted Business Within the State Without Authority, Providing Penalties for the Violations Thereof, and Repealing Sections 4961, 4962, 4963 and 4964 of the Compiled Laws of North Dakota for 1913 and Chapter 133, of the Session Laws of North Dakota for 1933, and Declaring an Emergency.

Introduction, first reading, 314.
 Reference, 314.
 Reported back, 415.
 Amended, 416, 1410.
 Passed, 477, 1411.
 Sent to House, 488, 1542, 1734.
 Returned to Senate (Amended), 1267, 1554, 1738.
 Other action, 1271, 1272, 1361.
 Conference Committee, 1374, 1377, 1405, 1410, 1411, 1446.
 Sent to Governor, 1647.
 Signed by President, 1733.
 Sent to Governor, 1742.

Senate Bill No. 139—(Committee on Appropriations)

Senate Bill No. 139. A Bill for an Act Making an Appropriation to Meet a Deficiency in the Appropriation Made to the Board of Pardons for the Biennium Period Expiring June 30, 1935, and Declaring an Emergency.

Introduction, first reading, 314.
 Reference, 314.
 Reported back, 360.
 Passed, 466.
 Sent to House, 486, 1109.
 Returned to Senate, 1060, 1153.
 Signed by President, 1108.
 Sent to Governor, 1333.
 Approved by Governor, 1351.

Senate Bill No. 140—(Committee on Appropriations)

Senate Bill No. 140. A Bill for an Act Making an Appropriation to the Attorney General to Repay Money Borrowed from The Bank of North Dakota to Pay Expenses Incurred for Fees and Disbursements in Certain Tax Litigations, and Declaring an Emergency.

Introduction, first reading, 314.
 Reference, 315, 413.
 Reported back, 446.
 Passed, 508.
 Other action, 509.
 Sent to House, 516, 1109.
 Returned to Senate, 1060, 1153.
 Signed by President, 1108.
 Sent to Governor, 1333.
 Approved by Governor, 1351.

Senate Bill No. 141—(Erickson)

Senate Bill No. 141. A Bill for an Act to Repeal Section 9971a1 and Section 9971a2 of the 1925 Supplement to the Compiled Laws of 1913, and as Amended by Chapter 128 of Session Laws of 1931 of the State of North Dakota, Relating to the Drawing of a Bank Check or Draft Without Funds in the Bank to Protect the Same; and Making the Same a Misdemeanor and Providing a Penalty Therefor.

Introduction, first reading, 315.
Reference, 315, 355.
Reported back, 450.
Indefinitely postponed, 450.

Senate Bill No. 142—(Erickson, by request)

Senate Bill No. 142. A Bill for an Act Defining Naturopathy and Authorizing the Practice of the Same in the State of North Dakota, Providing for Qualifications of Practitioners and the Filing of Certain Records.

Introduction, first reading, 315.
Reference, 315.
Reported back, 707.
Other action, 708, 838, 840.
Indefinitely postponed, 839.

Senate Bill No. 143—(Lemke and Greene of Cavalier)

Senate Bill No. 143. A Bill for an Act to Amend and Re-enact Section 7731, Supplement to the Compiled Laws of 1913, Relating to Exemptions of Personal Property from Attachment, Levy and Sale on Execution, and Defining "Head of Family" as Defined by Section 5626 of the Compiled Laws of 1913, and Exemptions of a Single Person, and Declaring an Emergency.

Introduction, first reading, 315.
Reference, 315.
Reported back, 601.
Amended, 601, 602.
Passed, 680, 1270.
Sent to House, 686, 1324.
Returned to Senate (Amended), 1266, 1403.
Other action, 1270, 1281.
Signed by President, 1319.
Sent to Governor, 1645.

Senate Bill No. 144—(Lynn and Fowler)

Senate Bill No. 144. A Bill for an Act to Amend and Re-enact Chapter 158 of the Session Laws of North Dakota for the Year 1933, Relating to Restriction of Foreclosure of Real Estate Mortgage by Advertisement, and Declaring an Emergency.

Introduction, first reading, 315.
Reference, 315.

Reported back, 647.
Other action, 648.
Lost 847.

Senate Bill No. 145—(Handley and Fine)

Senate Bill No. 145. A Bill for an Act to Amend and Re-enact Section 16 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Section 396a16 of the 1925 Supplement to the Compiled Laws of 1913, Known as the Workmen's Compensation Act, Relating to Examination of Injured Employees, and the Right of an Employee to Have His Own Physician or Doctor and Providing for an Impartial Physician or Doctor in the Case of Disagreement Between the Medical Advisor for the Bureau and the Employees Physician; and Prohibiting the Medical Examiner of the Workmen's Compensation Bureau From Treating Patients Professionally for Pay or Reward Who Are Under the Care of Said Bureau and Prohibiting Him From Recommending to Said Patient Any Doctor, Firm, Clinic, Hospital or System of Healing and Providing a Penalty Therefore, and Making the Same an Emergency Measure.

Introduction, first reading, 315.
Reference, 316.
Reported back, 588.
Indefinitely postponed, 588.

Senate Bill No. 146—(Erickson)

Senate Bill No. 146. A Bill for an Act to Repeal All of Chapter 124 of the Session Laws of the State of North Dakota for the Year 1927.

Introduction, first reading, 316.
Reference, 316.
Reported back, 749.
Indefinitely postponed, 749.

Senate Bill No. 147—(Fine and Jones)

Senate Bill No. 147. A Bill for an Act Creating a State Board to Be Known as "State Council of Public Safety," Purpose, Appointment of Members, Term of Office, Duties of Council and How Financed.

Introduction, first reading, 316.
Reference, 316.
Reported back, 590.
Amended, 590.
Passed, 667.
Sent to House, 685, 1185.
Returned to Senate, 1107.
Indefinitely postponed by House, 1107.
Recalled by House, 1183.
Returned to Senate (indefinitely postponed), 1490.

Senate Bill No. 148—(Bonzer and Brostuen)

Senate Bill No. 148. A Bill for an Act Appropriating the Sum of Twenty-eight Thousand (\$28,000.00) Dollars, or so Much Thereof as May be Required, to Reimburse the Bank of North Dakota for Certain Funds Loaned to the State Historical Society, for the Purpose of Purchasing State Park Lands, and Declaring an Emergency.

Introduction, first reading, 316.
 Reference, 316, 461.
 Reported back, 557.
 Amended, 558.
 Passed, 631.
 Sent to House, 634, 1171.
 Returned to Senate, 1106, 1183.
 Signed by President 1152.
 Sent to Governor, 1334.
 Approved by Governor, 1488.

Senate Bill No. 149—(Bonzer and Brostuen)

Senate Bill No. 149. A Bill for an Act to Create a State Planning Board, Prescribing the Powers and Duties Thereof, and Making an Appropriation Therefor, and Declaring an Emergency.

Introduction, first reading, 316.
 Reference, 316, 364.
 Reported back, 364, 460.
 Passed, 513.
 Sent to House, 516, 1171.
 Returned to Senate, 1106, 1184.
 Signed by President, 1152.
 Sent to Governor, 1334.
 Approved by Governor, 1488.

Senate Bill No. 150—(Bonzer and Brostuen)

Senate Bill No. 150. A Bill for an Act Empowering the State Historical Society to Acquire Lands for State Parks, State Monuments, and State Recreation Reserves, to Supervise, Control and Maintain Such State Parks, State Monuments, and State Recreation Reserves, Providing for the Appointment of a State Parks Committee, and Making an Appropriation Therefor.

Introduction, first reading, 316.
 Reference, 317, 363.
 Reported back, 363, 461.
 Amended, 514.
 Other action, 514, 1662, 1663.
 Passed, 514, 1663.
 Sent to House, 549, 1708.
 Returned to Senate (amended), 1615, 1721.
 Signed by President, 1707.
 Sent to Governor, 1741.

Senate Bill No. 151—(Greene of Stutsman)

Senate Bill No. 151. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 138 of the 1933 Session Laws of the State of North Dakota Relating to Hail Tax Refund.

Introduction, first reading, 317.
Reference, 317.
Reported back, 352.
Passed, 436.
Sent to House, 454, 883.
Returned to Senate, 757, 918.
Signed by President, 816.
Sent to Governor, 1064.
Approved by Governor, 1138.

Senate Bill No. 152—(Fine, Lemke and Brostuen)

Senate Bill No. 152. A Bill for an Act to Amend and Re-enact Section 3511 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Fees Charged by the Register of Deeds, and Furnishing Certified Abstracts of Title to Real Estate and Chattel Mortgage and Lien Abstracts; and Disposal of Satisfied and Cancelled Instruments.

Introduction, first reading, 336.
Reference, 336.
Reported back, 602.
Indefinitely postponed, 602.

Senate Bill No. 153—(Fine, Lemke and Brostuen)

Senate Bill No. 153. A Bill for an Act to Amend and Re-enact Sections 3099a1, 3099a5, and 3099a6 of the 1925 Supplement to the Compiled Laws of North Dakota of the Year 1913, and as Amended by Chapter 1, Session Laws of 1929; and, also Section 3099a9 of the 1925 Supplement to the Compiled Laws of North Dakota of the Year 1913, Relating to Qualifications of Abstractors of Title to Real and Personal Property, and Fees Allowed.

Introduction, first reading, 336.
Reference, 337.
Reported back, 609, 878.
Indefinitely postponed, 611, 878.
Other action, 611, 656.

Senate Bill No. 154—(Committee on Highways)

Senate Bill No. 154. A Bill for an Act to Amend and Re-enact Sub-section (b) of Section 19 of Chapter 179 of the Session Laws of 1927, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Introduction, first reading, 337.
Reference, 337.
Reported back, 348.
Passed, 430.

Sent to House, 454, 660.
 Returned to Senate, 583, 690.
 Signed by President, 658.
 Sent to Governor, 727.
 Approved by Governor, 1138.

Senate Bill No. 155—(Committee on Highways)

Senate Bill No. 155. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 162 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles, and Declaring an Emergency.

Introduction, first reading, 337.
 Reference, 337.
 Reported back, 351.
 Passed, 434.
 Sent to House, 454, 660.
 Returned to Senate, 583, 690.
 Signed by President, 658.
 Sent to Governor, 727.
 Approved by Governor, 1138.

Senate Bill No. 156—(Committee on Highways)

Senate Bill No. 156. A Bill for an Act to Amend and Re-enact Sub-division (d) of Section 1 of Chapter 188 of the Session Laws of 1931, Relating to Regulations of Motor Vehicle Transportation, and Declaring an Emergency.

Introduction, first reading, 337.
 Reference, 337.
 Reported back, 351.
 Amended, 435, 1652.
 Passed, 435, 1653.
 Sent to House, 462, 1707.
 Conference committee, 1431, 1434, 1448, 1494, 1580, 1582, 1586, 1603, 1652, 1654, 1655.
 Other action, 1653, 1654.
 Signed by President, 1706.
 Returned to Senate, 1721.
 Sent to Governor, 1742.

Senate Bill No. 157—(Ettestad and Fine)

Senate Bill No. 157. A Bill for an Act to Amend and Re-enact Section 368a4 of Chapter 191 of Session Laws of North Dakota for 1933, Relating to the Industrial Commission, Official Seal, Authenticating Documentary Acts, When Acts Become Effective, and Repealing Acts in Conflict Therewith.

Reference, 337.
 Reported back, 598.
 Indefinitely postponed, 600.
 Other action, 600.

Senate Bill No. 158—(Committee on Education)

Senate Bill No. 158. A Bill for an Act to Require Free

Correspondence Courses to Be Provided for all North Dakota Children of High School Age.

Introduction, first reading, 337.
 Reference, 337.
 Reported back, 741.
 Amended, 741, 911.
 Other action, 911, 1582, 1583.
 Passed, 912, 1583.
 Sent to House, 937, 1635.
 Returned to Senate (amended), 1564, 1673.
 Signed by President, 1631.
 Sent to Governor, 1713.

Senate Bill No. 159—(Whelan)

Senate Bill No. 159. A Bill for an Act to Provide for Reciprocal Fire Underwriters' Licenses.

Introduction, first reading, 337.
 Reference, 338, 471.
 Reported back, 372, 606.
 Amended, 606.
 Other action,, 722, 723.
 Passed, 722.
 Sent to House, 734, 1248.
 Returned to Senate, 1217, 1270.
 Signed by President, 1244.
 Sent to Governor, 1335.
 Approved by Governor, 1351.

Senate Bill No. 160—(Whelan, Nelson of Grand Forks and Brostuen)

Senate Bill No. 160. A Bill for an Act to Amend and Re-enact Chapter 272 of the Session Laws of 1931, Authorizing the Board of Administration, with the Approval and Consent of the Governor, to Transfer the License of the Radio Station Located at the State University of North Dakota at Grand Forks, North Dakota.

Introduction, first reading, 338.
 Reference, 338, 469.
 Reported back, 365, 750, 751, 752.
 Amended, 365, 750, 751.
 Passed, 950.
 Other action, 950.
 Sent to House, 978.
 Returned to Senate (indefinitely postponed), 1310.

Senate Bill No. 161—(Ettestad)

Senate Bill No. 161. A Bill for an Act Providing for the Regulation of Dealers in Livestock and Poultry, and Defining Who Are Dealers; Act Not Applicable, to Whom; License and Bond Required; Powers and Duties of Railroad Commission; Records Required of Dealer; Feeding, Watering and Weighing; Acts of Deceit, Fraud or Dishonesty, and Appropriating Fees

Collected to the Use of the Board of Railroad Commissioners for the Administration and Enforcement of the Act; Penalty for Violation of Act, and, Repealing all of Chapter 7 of the Session Laws of the State of North Dakota for the Year 1933; and Repealing all Acts in Conflict Herewith; and Making the Act an Emergency Measure.

Introduction, first reading, 338.
 Reference, 338.
 Reported back, 607.
 Amended, 608, 724.
 Passed, 724, 1613.
 Sent to House, 734, 1680.
 Other action, 1430, 1434, 1458, 1611, 1612, 1613.
 Lost, 1430, 1611.
 Reconsidered, 1457, 1612.
 Conference committee, 1488, 1502, 1522, 1577, 1584, 1586, 1602, 1610, 1628.
 Signed by President, 1674.
 Returned to Senate, 1721.
 Sent to Governor, 1741.

Senate Bill No. 162—(Erickson)

Senate Bill No. 162. A Bill for an Act to Provide an Additional Method for Issuance of Professional Teachers Certificates.

Introduction, first reading, 383.
 Reference, 383.
 Reported back, 742.
 Amended, 912.
 Other action, 912, 985, 1032.
 Lost, 913, 1031.
 Reconsidered, 984.

Senate Bill No. 163—(Committee on Appropriations)

Senate Bill No. 163. A Bill for an Act Making an Appropriation to the University of North Dakota to Meet a Deficiency in the Appropriation for the Biennium Expiring June 30, 1935, for the Public Health Laboratories; and Declaring an Emergency.

Introduction first reading, 383.
 Reference, 383.
 Reported back, 412.
 Passed, 474, 1105.
 Sent to House, 487, 1171.
 Returned to Senate (amended), 1062, 1184.
 Conference, committee, 1063, 1103, 1104.
 Signed by President, 1152.
 Sent to Governor, 1334.
 Approved by Governor, 1488.

Senate Bill No. 164—(Thorson and Marshall)

Senate Bill No. 164. A Bill for an Act to Amend and Re-

enact Section 4 (a) of Chapter 166 of the Session Laws of North Dakota for the Year 1929, and to Amend and Re-enact Section 6 of Chapter 189 of the Session Laws of North Dakota for the Year 1931, Being 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; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; 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.

Introduction, first reading, 383.
 Reference, 383.
 Reported back, 750.
 Passed, 944.
 Other action, 945.
 Sent to House, 977, 1636.
 Returned to Senate, 1551, 1672.
 Signed by President, 1633.
 Sent to Governor, 1713.

Senate Bill No. 165—(Lowe)

Senate Bill No. 165. A Bill for an Act to Amend and Re-enact Section 3263 of the Compiled Laws of North Dakota for 1913, Relating to Re-districting Counties Into Commissioner Districts, Petition of Voters and Election Therefor, Question—How Submitted to Voters, and Repealing All Acts in Conflict Therewith.

Introduction, first reading, 383.
 Reference, 383.
 Reported back, 770.
 Amended, 770.
 Passed, 956.
 Other action, 957.
 Sent to House, 978.
 Returned to Senate (indefinitely postponed), 1310.

Senate Bill No. 166—(Whelan)

Senate Bill No. 166. A Bill for an Act to Repeal Chapter 246 of the Session Laws of 1931 Authorizing the Establishment and Maintenance in Certain High Schools of This State of a Department of Junior College Work and Providing for the Supervision Thereof.

Introduction, first reading, 383.
 Reference, 384.
 Reported back, 585.
 Indefinitely postponed, 585.

Senate Bill No. 167—(Whelan)

Senate Bill No. 167. A Bill for an Act to Reduce the Tax Burden on Property by Applying Moneys Received by

County Treasurers for the Use of the County or the School Districts Therein From or Through the State Treasurer of the State of North Dakota or Any Other Source Other Than the Direct Payment of the Taxes as Spread on the Current or Prior Tax Rolls; and Moneys Accumulated Through Unexpended Balances; to the Reduction of the Tax Burden on Property.

Introduction, first reading, 384.

Reference, 384.

Reported back, 751.

Indefinitely postponed, 751.

Senate Bill No. 168—(Miklethun, Fine and Greene of Stutsman)

Senate Bill No. 168. A Bill for an Act Providing for the Deduction From the Assessed Valuation of All Real Property the Balance Due Upon All Bona Fide Mortgages of Record; Providing for the Taxation Upon True Equity of Owner of Real Property.

Introduction, first reading, 384.

Reference, 384.

Reported back, 450.

Indefinitely postponed, 450.

Senate Bill No. 169—(Watt)

Senate Bill No. 169. A Bill for an Act Authorizing the Board of Administration to Establish and Operate a Public Restaurant and Lunch Room in the State Capitol, Defining Its Powers and Duties in Relation Thereto, and Prohibiting Any Person, Firm or Corporation From Operating Any Restaurant or Lunch Room in the State Capitol After July 1, 1935.

Introduction, first reading, 384.

Reference, 384.

Reported back, 595.

Passed, 674.

Sent to House, 685.

Other action, 675.

Returned to Senate (indefinitely postponed), 1161.

Senate Bill No. 170—(Miklethun, Fine and Wog)

Senate Bill No. 170. A Bill for an Act to Provide for the Establishment of Eligible Lists From Which Employees Shall Be Appointed for the State Highway Department, State Regulatory Department and State Game and Fish Department, Providing Certain Rules Governing the Officials and Employees in the Administration of the Act, Providing for Filing Charges and Hearing and Determination Thereon, Appointment of Committees to Hear Charges, Prohibiting Contributions for Political Purposes, Providing Pen-

alties for Violations of the Act, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Introduction, first reading, 384.
Reference, 384.
Reported back, 589.
Indefinitely postponed, 589.

Senate Bill No. 171—(McDonald)

Senate Bill No. 171. A Bill for an Act to Provide for a State Board of Insurance Agents; Providing for the Appointment of Members Thereof Together With Per Diem and Mileage for Their Services; Providing for Annual and Special Meetings; Biennial Reports to the Governor; Giving Authority to Issue Certificates to Insurance Agents; Providing for the Collection of Fees; the Imposing of a Penalty for a Failure to Comply With This Act; Giving Authority to Make Rules and Regulations, and Repealing All Acts in Conflict Herewith.

Introduction, first reading, 385.
Reference, 385.
Reported back, 850.
Indefinitely postponed, 850.

Senate Bill No. 172—(Lynn)

Senate Bill No. 172. A Bill for an Act Authorizing the Renewal of the Period of Corporate Existence of Certain Corporations Whose Period of Duration Has Expired Without the Renewal Thereof, and Legalizing Acts and Contracts of Such Corporations Made or Done and Performed Subsequent to the Expiration of the Original Period of Existence of Such Corporations.

Introduction, first reading, 385.
Reference, 385.
Reported back, 594.
Passed, 674.
Sent to House, 685, 1171.
Returned to Senate, 1106, 1184.
Signed by President, 1152.
Sent to Governor, 1334.

Senate Bill No. 173—(Thorson)

Senate Bill No. 173. A Bill for an Act to Amend and Re-enact Section 1218 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Relating to Funds of School District, the District Treasurer's Account, Annual Settlements, Annual Report, Receipts and Expenditures, and Repealing All Acts in Conflict Therewith.

Introduction, first reading, 385.
Reference, 385.
Reported back, 817.
Indefinitely postponed, 1001.
Other action, 1002.

Senate Bill No. 174—(Johnson)

Senate Bill No. 174. A Bill for an Act Providing for Uniform Title to Papers and Proceedings in Probate Court Practice, and for Form of Citation.

Introduction, first reading, 385.

Reference, 385.

Reported back, 742.

Amended, 742.

Passed, 913.

Sent to House, 925, 1248.

Returned to Senate, 1164, 1309.

Signed by President, 1244.

Sent to Governor, 1642.

Senate Bill No. 175—(Committee on Taxes and Tax Laws)

Senate Bill No. 175. A Bill for an Act Providing for a System of Municipal Control of the Purchase, Sale, Importation, Transportation, Handling, Possessing, Dispensing and Use of Alcohol and Alcoholic Beverages by Any Incorporated City of the State Having a Population of Two Hundred or More; the Levy and Collection of a Tax Thereon; the Duties of the State Treasurer; Providing for Injunctions Against and Abatement of Liquor Nuisances; the Continuing in Force of the Present Statutory Regulations Prohibiting the Manufacture, Sale and Possession of Intoxicating Liquors; Providing Penalties for Violations of the Provisions of This Act.

Introduction, first reading, 385.

Reference, 386.

Reported back, 808.

Amended, 808.

Other action, 915, 926, 927, 1461, 1493, 1494, 1500.

Passed, 925, 1493.

Sent to House, 938, 1597.

Returned to Senate (amended), 1467, 1614.

Signed by President, 1596.

Sent to Governor, 1630.

Senate Bill No. 176—(Committee on Taxes and Tax Laws)

Senate Bill No. 176. A Bill for an Act to Provide a System of State Control of the Purchase, Sale, Importation, Exportation, Transportation, Handling, Possessing, Dispensing, and Use of Alcohol and Alcoholic Beverages; to Create a Liquor Control Commission, and to Provide for the Sale of Alcohol and Alcoholic Beverages by Such Commission, to Provide for the Borrowing of Money From the Bank of North Dakota to Finance the Operation of the Commission; to Provide Penalties for Violation of the Provisions of This Act; to Continue in Force the Present Statutory Regulations Prohibiting the Manufacture, Sale, and Possession of Intoxicating Liquors, Except Insofar as the Same Are

Inconsistent with the Provisions of This Act; and Declaring an Emergency.

Introduction, first reading, 386.
Reference, 386.
Reported back, 752.
Indefinitely postponed, 752.

Senate Bill No. 177—(Bonzer)

Senate Bill No. 177. A Bill for an Act to Amend and Re-enact Subdivision (c) of Section 25 of Chapter 186, Session Laws of 1931, as Amended by Chapter 160 of the Session Laws of 1933, Relating to Taxation and Licensing of Motor Vehicles and Declaring an Emergency.

Introduction, first reading, 386.
Reference, 386.
Reported back, 594.
Passed, 673, 1176.
Sent to House, 684, 1250.
Amended, 673.
Other action, 673, 1175, 1176.
Returned to Senate (amended), 1160, 1308.
Signed by President, 1245.
Sent to Governor, 1643.

Senate Bill No. 178—(Nelson of Grand Forks, by request)

Senate Bill No. 178. A Bill for an Act Entitled "An Act to Provide for a Means of Removal of Elective City Officers by the Will of the People."

Introduction, first reading, 386.
Reference, 386.
Reported back, 593.
Indefinitely postponed, 593.

Senate Bill No. 179—(Nelson of Grand Forks, by request)

Senate Bill No. 179. A Bill for an Act Entitled: "An Act to Amend and Re-enact Section 5 of the Session Laws of 1913, Relating to Cities Under Commission Form of Government, and Declaring an Emergency.

Introduction, first reading, 386.
Reference, 386.
Reported back, 650.
Indefinitely postponed, 650.

Senate Bill No. 180—(Fine and Stucke)

Senate Bill No. 180. A Bill for an Act to Amend and Re-enact Section 860 of the Compiled Laws of North Dakota of the Year 1913.

Introduction, first reading, 386.
Reference, 386.

Reported back, 652.
Amended, 652, 852.
Passed, 853.
Sent to House, 886.
Returned to Senate (indefinitely postponed), 1448.

Senate Bill No. 181—(Fine and Greene of Stutsman)

Senate Bill No. 181. A Bill for an Act to Regulate the Employment of Teachers in the Public Schools of the Classified First, Second, and the Third Class High Schools; of the First, Second, and Third Class Graded and Consolidated Schools; and in State Institutions of Higher Learning, and Fixing the Conditions Under Which They May Hold Their Positions, or May Be Discharged.

Introduction, first reading, 387.
Reference, 387.
Reported back, 743.
Lost, 914.
Other action, 945, 948.
Reconsidered, 945.
Passed, 947.
Sent to House, 977.
Returned to Senate (indefinitely postponed), 1449.

Senate Bill No. 182—(Fowler)

Senate Bill No. 182. A Bill for an Act to Amend and Re-enact Section 8 of Chapter 309, Session Laws of 1931, Relating to Veterans' Guardianship, and Declaring an Emergency.

Introduction, first reading, 387.
Reference, 387.
Reported back, 591.
Amended, 591.
Passed, 669.
Sent to House, 684.
Returned to Senate (indefinitely postponed), 1243.

Senate Bill No. 183—(Cain)

Senate Bill No. 183. A Bill for an Act Authorizing and Empowering the Governing Board of Any Political Sub-division to Compromise and Settle Obligations Other Than Taxes Due and Owing to or Held by Such Political Sub-divisions, Validating Settlements Heretofore Made, and Declaring an Emergency.

Introduction, first reading, 387.
Reference, 387.
Reported back, 648.
Amended, 649.
Passed, 851.
Sent to House, 885.
Returned to Senate (indefinitely postponed), 1161, 1722.
Recalled by House, 1305.

Senate Bill No. 184—(Fowler, Jones, McGillic and Nelson of Grand Forks)

Senate Bill No. 184. A Bill for an Act Making an Appropriation for the Payment of the Expenses to Be Incurred by Boys and Girls Club Work at State and District Fairs.

Introduction, first reading, 387.
 Reference, 387.
 Reported back, 460.
 Amended, 460.
 Passed, 512.
 Sent to House, 516, 1068, 1171.
 Returned to Senate, 1061, 1106, 1184.
 Indefinitely postponed by House, 1061.
 Recalled by House, 1068.
 Other action, 1068.
 Signed by President, 1152.
 Sent to Governor, 1334.

Senate Bill No. 185—(Cain)

Senate Bill No. 185. A Bill for an Act Defining the Jurisdiction of Police Magistrates and City Justices of the Peace in Criminal Actions in Cities of Five Thousand Inhabitants or More in Counties Wherein the County Court Does Not Have Increased Jurisdiction; Qualifications and Fees of Said Police Magistrates and City Justices of the Peace; Procedure, Jurors and Officers in Said Police Magistrates Courts and Courts of Said City Justices of the Peace; Limitations of Jurisdiction of Justices of the Peace in Said Cities; and Repealing All Acts and Parts of Acts in Conflict Therewith.

Introduction, first reading, 387.
 Reference, 387.
 Reported back, 614.
 Amended, 614.
 Passed, 840, 1699.
 Sent to House, 885, 1655, 1669, 1734.
 Returned to Senate (indefinitely postponed), 1490.
 Recalled by House, 1654.
 Other action, 1655, 1669, 1699, 1700.
 Returned to Senate, 1667, 1693, 1737.
 Signed by President, 1732.
 Sent to Governor, 1743.

Senate Bill No. 186—(Brostuen)

Senate Bill No. 186. A Bill for an Act Transferring \$78,293.94 From Certain Fund in Office of State Treasurer, Derived From the United States, to the State Equalization Fund, Appropriating the Same for School Purposes, and Providing That Funds Derived in the Future From Same Source Shall Be Placed in the State Equalization Fund and Used for School Purposes, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Introduction, first reading, 387.
Reference, 388.
Reported back, 607.
Amended, 607.
Passed, 723.
Sent to House, 734, 1250.
Returned to Senate 1163, 1307.
Signed by President, 1246.
Sent to Governor, 1643.
Approved by Governor, 1488.

Senate Bill No. 187—(Brostuen and Matthaei)

Senate Bill No. 187. A Bill for an Act Imposing a Tax on Natural Gas, Providing Methods for Enforcing the Collection Thereof, and Making Pipe Line Companies Public Utilities.

Introduction, first reading, 388.
Reference, 388.
Reported back, 752.
Indefinitely postponed, 752.

Senate Bill No. 188—(Lynn and Matthaei)

Senate Bill No. 188. A Bill for an Act Creating a North Dakota Game and Fish Department Under the Control and Supervision of the Game and Fish Commission of North Dakota, Defining the Powers and Duties of the Commission, Transferring to the Commission Certain Powers and Duties and Repealing Chapter 130 of the 1929 Session Laws, Chapter 120 of the 1933 Session Laws and All Other Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 388.
Reference, 388, 525.
Reported back, 524, 771.
Indefinitely postponed, 772, 927.
Other action, 772, 840, 915.
Reconsidered, 840.

Senate Bill No. 189—(Committee on Taxes and Tax Laws)

Senate Bill No. 189. A Bill for an Act Providing for the Better Collection of Taxes and Better Enforcement of Laws Relating to the Imposition and Collection of Taxes Now or Hereafter Imposed Upon Cigarettes, Snuff, Cigarette Papers.

Introduction, first reading, 388.
Reference, 388.
Reported back, 753.
Amended, 753, 1719.
Other action, 927, 1559, 1566, 1719, 1720.
Passed, 928, 1719.
Sent to House, 938, 1734.
Returned to Senate (Amended), 1532, 1739.
Conference committee, 1669, 1678, 1696, 1704, 1718, 1720.
Signed by President, 1733.
Sent to Governor, 1743.

Senate Bill No. 190—(Crandall and Watt)

Senate Bill No. 190. A Bill for An Act Making an Appropriation of Funds Accumulated Through the Administration of the Provision of Chapter 244 of the Session Laws of 1923, for the Purpose of Financing Additional Repairs and Maintenance to the North Dakota Old Soldiers' Home at Lisbon, North Dakota.

Introduction, first reading, 388.
 Reference, 388.
 Reported back, 413.
 Withdrawn, 474.

Senate Bill No. 191—(Whelan)

Senate Bill No. 191. A Bill for an Act Directing and Requiring That All Monies Collected for Any License or Other Assessment or Tax or by Any Other Authority, and All Fees Received or Charged by Any Official or Person in the Employ of the State or Any Board, Bureau, Commission or Department of the State, or of Any County, City or Other Political Subdivision of the State Shall Be Paid Over, Respectively, to the State Treasurer, County Treasurer, City Treasurer or the Treasurer of Such Other Political Subdivision of This State and Credited to the General Fund, and Shall Be Expended Only Upon and Pursuant to Appropriation by the Proper Officials in the Same Manner That Monies Derived from Property Taxes Are Appropriated and Expended.

Introduction, first reading, 388.
 Reference, 389.
 Reported back, 754.
 Indefinitely postponed, 754.
 Other action, 755.

Senate Bill No. 192—(Stucke and Thatcher)

Senate Bill No. 192. A Bill for an Act Amending and Re-enacting Section 47 of the 1913 Compiled Laws Relating to the Proposals for State Printing; Providing for the Printing of All Matters Coming Under Class 5 of State Printing; Providing for Each State Department or Office to Designate Newspaper or Job Printing Shop Where Class 5 Printing Shall Be Performed; Providing for State Printing Commission and State Printer to Determine and Fix Price and Cost Thereof and Repeal all Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 389.
 Reference, 389, 805.
 Reported back, 755, 872.
 Amended, 755, 872.
 Reconsidered, 805.
 Other action, 1021, 1024, 1025, 1026.
 Passed, 1025.
 Sent to House, 1032, 1597.

Returned to Senate, 1529, 1614.
Signed by President, 1597.
Sent to Governor, 1631.

Senate Bill No. 193—(Stucke, by request)

Senate Bill No. 193. A Bill for an Act to Amend and Re-enact Section 13 of Chapter 235, Session Laws of 1929, Relating to Authorization of Excess Tax Levies.

Introduction, first reading, 389.
Reference, 389.
Reported back, 775.
Indefinitely postponed, 775.

Senate Bill No. 194—(Ettestad)

Senate Bill No. 194. A Bill for an Act to Amend and Re-enact Section 1162 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 233 of the Session Laws of North Dakota for 1933 Relating to Annual, Regular and Special Meetings of Boards of Common School Districts and Providing for Notice of Same and Relating to Attendance, Per Diem and Mileage of School Officers Attending County Meetings, and Declaring an Emergency.

Introduction, first reading, 389.
Reference, 389.
Reported back, 863.
Passed, 1012.
Other action, 1013.
Sent to House, 1016, 1517.
Returned to Senate, 1435, 1554.
Signed by the President, 1511.
Sent to Governor, 1648.

Senate Bill No. 195—(Drew, Trout and Gronvold)

Senate Bill No. 195. A Bill for an Act to Amend and Re-enact Sections 3, 5, 7, 8, and 11 of the Initiated Measure Entitled, "An Act Providing for the Manufacture and Sale, Within the State, of Beer, as Defined by the Congress of the United States, Making Regulations Under Which the Same May Be Done, Providing a Revenue Therefrom, and Repealing Senate Bill No. 263, passed by the 23rd Legislative Assembly of the State of North Dakota, and All Other Acts or Parts of Acts in Conflict With the Provisions of This Act," Approved by the People of the State of North Dakota at the Special Election Held on the 22nd day of September, 1933, Relating to the Manufacture and Sale of Beer, and Declaring an Emergency.

Introduction, first reading, 389.
Reference, 390.
Reported back, 809.
Amended, 809.
Passed, 999, 1659, 1689.
Other action, 1000, 1001, 1599, 1659, 1660, 1689, 1690.
Sent to House, 1009, 1599, 1736.

Returned to Senate (Indefinitely postponed), 1530.
 Recalled by House, 1599.
 Returned to Senate (Amended), 1613, 1739.
 Reconsidered, 1660, 1688.
 Signed by President, 1735.
 Sent to Governor, 1743.

Senate Bill No. 196—(Crandall and McGillic)

Senate Bill No. 196. A Bill for an Act to Amend and Re-enact Section 11 of Chapter 148 of the Session Laws of 1931, as Amended by Chapter 120 of the Session Laws of 1933, Relating to the Disposition of Money Collected by the Game and Fish Commissioner, and Providing for the Creation of a Game Conservation Fund, and Defining the Use of Such Fund.

Introduction, first reading, 390.
 Reference, 390, 525.
 Reported back, 525, 711.
 Indefinitely postponed, 711.

Senate Bill No. 197—(Crandall and McGillic)

Senate Bill No. 197. A Bill for an Act to Amend Section 22, Chapter 148 of the 1931 Session Laws as Amended by Chapter 121 of the 1933 Session Laws, Relating to Resident License. Cost. How Issued. Applications. Forms. Game and Fish Shipment, and Declaring an Emergency.

Introduction, first reading, 390.
 Reference, 390.
 Reported back, 524.
 Indefinitely postponed, 567.

Senate Bill No. 198—(McDonald)

Senate Bill No. 198. A Bill for an Act Limiting the Hours of Employment of Municipal Employees, Fixing the Penalty for Violation Thereof, and Repealing All Acts and Parts of Acts in Conflict Therewith.

Introduction, first reading, 422.
 Reference, 422, 679.
 Reported back, 590, 775.
 Amended, 591, 668, 775, 1708.
 Other action, 668, 958, 1192, 1193, 1606, 1665, 1666, 1709, 1710.
 Passed, 669, 957, 1666, 1709.
 Reconsidered, 679.
 Sent to House, 979, 1606, 1734.
 Recalled from House, 1142.
 Returned to Senate (Indefinitely postponed), 1553.
 Recalled by the House, 1606.
 Returned to Senate (Amended), 1623, 1738.
 Reconsidered, 1683.
 Conference committee, 1683, 1686, 1688, 1708, 1710, 1714.
 Signed by President, 1732.
 Sent to Governor, 1743.

Senate Bill No. 199—(Jones, by request)

Senate Bill No. 199. A Bill for an Act Relating to the Business of Selling Fresh Meats at Retail to Consumers, Creating a Board of Meat Cutters' Examiners of the State of North Dakota; to Provide for Registration of Meat Cutters and Apprentices; to Provide for Said Board of Examining Applicants for Registration; and to Provide for Said Board Adopting Rules and Regulations Relating to Sanitary Conditions in Said Business.

Introduction, first reading, 422.

Reference, 422.

Reported back, 703.

Indefinitely postponed, 704.

Senate Bill No. 200—(Jones, by request)

Senate Bill No. 200. A Bill for an Act Creating and Establishing a State Employment Service in Cooperation With the Federal Government Under the Provisions of the Wagner-Peyser Act. Providing Payment of Salaries and Expenses and Making an Appropriation.

Introduction, first reading, 422.

Reference, 423.

Reported back, 713.

Indefinitely postponed, 713.

Senate Bill No. 201—(Peterson)

Senate Bill No. 201. A Bill for an Act to Amend and Re-enact Sections 1168, 1255 and 1306 of the Compiled Laws of the State of North Dakota, Relating to Keeping of Accounts and the Manner of Disbursement of Funds of Common, Special and Independent School Districts, and Providing for the Form of Warrants to Be Used by Said School Districts as Amended by Chapter 228 of the 1933 Session Laws of North Dakota and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 423.

Reference, 423.

Reported back, 864.

Passed, 1027.

Other action, 1028.

Sent to House, 1033.

Returned to Senate (Indefinitely postponed), 1161.

Senate Bill No. 202—(Committee on State Affairs)

Senate Bill No. 202. A Bill for an Act Providing for the Creation of Power Districts; Prescribing Powers and Duties of Such Districts; and Authorizing Such Districts to Conduct and Operate Utilities for the Production, Transmission or Distribution of Electric Energy, and to Issue Bonds and Providing for the Payment of Such Bonds.

Introduction, first reading, 423.
Reference, 423.
Reported back, 775.
Indefinitely postponed, 775.

Senate Bill No. 203—(Committee on State Affairs)

Senate Bill No. 203. A Bill for an Act to Amend and Re-enact Section 12 of Chapter 196 of the Laws of North Dakota for the Year 1927, in Relation to the Levy of Taxes to Pay the Principal of and Interest on Bonds Issued by Municipalities Which Are Further Sustained by Revenue of a Revenue-Producing Utility, Industry, or Enterprise, and Declaring an Emergency.

Introduction, first reading, 423.
Reference, 423.
Reported back, 776.
Other action, 617, 958.
Amended, 776.
Passed, 958.
Sent to House, 979, 1445.
Returned to Senate, 1370, 1492.
Signed by President, 1441.
Sent to Governor, 1628.

Senate Bill No. 204—(Committee on State Affairs)

Senate Bill No. 204. A Bill for an Act Simplifying the Procedure for the Construction and Financing of Public Works Projects by Municipalities, Enabling Municipalities to Make and Perform Contracts with Federal Agencies Relating to the Construction and Financing of Such Projects and Conferring Additional Powers Upon Municipalities and for Other Purposes.

Introduction, first reading, 423.
Reference, 423.
Reported back, 776.
Indefinitely postponed, 776.

Senate Bill No. 205—(Committee on State Affairs)

Senate Bill No. 205. A Bill for an Act to Amend and Re-enact Subsection 2 of Section 2 and Section 5 of Chapter 179 of the Session Laws of North Dakota, 1933, Authorizing the Execution of a Mortgage or a Deed of Trust to Secure Mortgage Bonds and Making Such Bonds Negotiable.

Introduction, first reading, 423.
Reference, 424.
Reported back, 777.
Other action, 617, 959.
Passed, 959.
Sent to House, 979, 1325.
Returned to Senate, 1240, 1402.
Signed by President, 1320.
Sent to Governor, 1645.

Senate Bill No. 206—(Committee on State Affairs)

Senate Bill No. 206. A Bill for an Act Creating the Rural Electrification Authority of North Dakota for the Purpose of Promoting and Encouraging the Fullest Possible Use of Electric Energy in the State by Making Electric Energy Available to Certain Inhabitants of the State at the Lowest Cost Consistent With Sound Economy and Prudent Management; Authorizing the Authority to Sell and Distribute Electric Energy and to Construct or Otherwise Acquire a System or Systems for the Generation, Transmission and Distribution of Electric Energy to Carry Out the Purposes of This Act; Providing for the Rights, Powers and Duties of the Authority; Authorizing and Regulating the Issuance of Bonds by the Authority; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof.

Introduction, first reading, 424.
Reference, 424.
Reported back, 777.
Indefinitely postponed, 777.

Senate Bill No. 207—(Committee on State Affairs)

Senate Bill No. 207. A Bill for an Act Providing for the Formation of Non-profit Membership Corporations to Be Known as Electric Membership Corporations for the Purpose of Promoting and Encouraging the Fullest Possible Use of Electric Energy in the State by Making Electric Energy Available to the Inhabitants of the State at the Lowest Cost Consistent With Sound Economy and Prudent Management of the Business of Such Corporations; Providing for the Rights, Powers and Duties of Such Corporations; Authorizing and Regulating the Issuance of Bonds by Such Corporations; and Providing for the Payment of Such Bonds and the Rights of the Holders Thereof.

Introduction, first reading, 424.
Reference, 424.
Reported back, 777.
Indefinitely postponed, 778.

Senate Bill No. 208—(Committee on State Affairs)

Senate Bill No. 208. A Bill for an Act Providing for the Acquisition, Purchase, Construction, Reconstruction, Improvement, Betterment, Extension, Operation, and Maintenance of Revenue-producing Undertakings by Any City, Incorporated Town or Village; Authorizing and Regulating the Issuance of Revenue Bonds for Financing Such Undertakings; and Providing for the Payment of Such Bonds and the Rights of Holders Thereof.

Introduction, first reading, 424.
Reference, 424.
Reported back, 778.
Indefinitely postponed, 778.

Senate Bill No. 209—(Committee on State Affairs)

Senate Bill No. 209. A Bill for an Act to Amend and Re-enact Sub-division 6 of Section 17 of Chapter 196, Session Laws of North Dakota for the Year 1927, Authorizing the Private Sale of Bonds to the United States of America or Any Agency or Instrumentality Thereof Without Public Advertisement, and Declaring an Emergency.

Introduction, first reading, 425.
 Reference, 425.
 Reported back, 778.
 Other action, 617, 960.
 Passed, 959.
 Sent to House, 979, 1325.
 Returned to Senate, 1240, 1400.
 Signed by President, 1320.
 Sent to Governor, 1645.

Senate Bill No. 210—(Committee on State Affairs)

Senate Bill No. 210. A Bill for an Act Providing That Any City or County Which Owns a Revenue-producing Utility May Serve Beyond its Corporate Limits and to and Within Other Cities or Towns and Villages for Public and Private Uses; and May Enter Into Agreement With Such Other Cities or Towns and Villages for Such Service; Providing for Reasonable Rates; and Providing That the Railroad Commission and Other Governmental Agencies Shall Not Have Supervision Over Such Rates and Services.

Introduction, first reading, 425.
 Reference, 425.
 Reported back, 779.
 Indefinitely postponed, 779.

Senate Bill No. 211—(Committee on State Affairs)

Senate Bill No. 211. A Bill for an Act to Authorize Cities, Towns, and Incorporated Villages, and the State, its Subdivisions and Agencies to Cooperate With Housing Authorities and the United States of America by Rendering Services, Conveying or Leasing Property and Providing for Streets, Roads and Other Facilities; and to Declare an Emergency Requiring That This Act Take Effect From the Date of its Passage.

Introduction, first reading, 425.
 Reference, 425.
 Reported back, 779.
 Indefinitely postponed, 779.

Senate Bill No. 212—(Committee on State Affairs)

Senate Bill No. 212. A Bill for an Act Validating, Ratifying, Approving and Confirming Bonds, Warrants and Other Instruments or Obligations Heretofore Issued by Public Bodies of This State for the Purpose of Financing in

Whole or in Part Public Works Projects, and Validating All Proceedings Heretofore Taken for the Incorporation of Any Public Body as Defined in the Act, and Declaring an Emergency.

Introduction, first reading, 425.
Reference, 425.
Reported back, 779.
Other action, 617, 961, 1429, 1434.
Amended, 779.
Passed, 960, 1429.
Sent to House, 979, 1597.
Returned to Senate, 1429, 1614.
Signed by President, 1596.
Sent to Governor 1630.

Senate Bill No. 213—(Committee on State Affairs)

Senate Bill No. 213. A Bill for an Act Providing for the Incorporation of Improvement Authorities; Prescribing the Powers and Duties of Such Authorities; and Authorizing Such Authorities to Engage in the Enterprise of Furnishing Water, Sewerage, Gas or Electric Heat, Light or Power Services, and to Issue Bonds, and Providing for the Payment of Such Bonds.

Introduction, first reading, 425.
Reference, 425.
Reported back, 780.
Indefinitely postponed, 780.

Senate Bill No. 214—(Committee on State Affairs)

Senate Bill No. 214. A Bill for an Act to Authorize Corporate Agencies of the United States and Corporations Receiving Aid from the United States to Exercise the Power of Eminent Domain to Acquire Property for Housing Projects; and to Declare an Emergency Requiring That This Act Take Effect from the Date of Its Passage.

Introduction, first reading, 426.
Reference, 426.
Reported back, 780.
Indefinitely postponed, 780.

Senate Bill No. 215—(Committee on State Affairs)

Senate Bill No. 215. A Bill for an Act to Declare the Necessity of Creating Public Bodies, Corporate and Politic, to Be Known as Housing Authorities to Engage in Slum Clearance and/or projects to Provide Dwelling Accommodations for Persons of Low Income; to Provide for the Creation of Such Housing Authorities; to Define the Powers and Duties of Housing Authorities and to Provide for the Exercise of Such Powers, Including Acquiring Property by Purchase, Gift or Eminent Domain, and Including Borrowing Money, Issuing Revenue and Credit Bonds and Other Obligations, and Giving Security Therefor; to Confer Reme-

dies on Obligees of Housing Authorities; to Provide That the Bonds of the Authority Shall Be Legal Investments; to Provide That Housing Authorities, Their Property and Securities Shall Be Tax Exempt; and to Declare an Emergency Requiring That This Act Take Effect from the Date of Its Passage.

Introduction, first reading, 426.
Reference, 426.
Reported back, 781.
Indefinitely postponed, 781.

Senate Bill No. 216—(Committee on State Affairs)

Senate Bill No. 216. A Bill for an Act Amending and Re-enacting Section 16 of Chapter 196 of the Laws of North Dakota for the year 1927, and Relating to the Execution, Registration, Certification and Delivery of Bonds Issued by a Municipality.

Introduction, first reading, 426.
Reference, 426.
Reported back, 781.
Other action, 617, 962.
Amended, 781.
Passed, 961.
Sent to House, 979, 1517.
Returned to Senate, 1435, 1554.
Signed by the President, 1511.
Sent to Governor, 1648.

Senate Bill No. 217—(Bonzer)

Senate Bill No. 217. A Bill for an Act to Amend and Re-enact Chapter 220, Session Laws of the State of North Dakota for the year 1933, Relating to Petitions by Patrons and Users of Services of Public Utility Companies for Reduction of Public Utility Rates, Authorizing Negotiations Touching Such Rates, Providing for Summary Reduction of the Same, Relating to Hearings, and Investigations; and Relating to Valuation and/or Revaluation of Property of Public Utility Companies and Corporations by the Board of Railroad Commissioners; Relating to Payment of Expenses of Such Hearings, and Investigations, and Valuations and/or Revaluations and the Methods of Assessing and Collecting the Same; and Repealing All Acts or Parts of Acts in Conflict Herewith; and Making an Appropriation for the Valuation by Board of Public Commissioners of the Property of the Public Utilities, Subject to the Provisions of Chapter 192 of the Session Laws of 1919, Creating a Revolving Fund, and Declaring an Emergency.

Introduction, first reading, 426.
Reference, 427.
Reported back, 782.
Amended, 782, 783.
Other action, 783, 927, 935, 1434.
Passed, 934.

Sent to House, 976, 1392.
 Returned to Senate, 1240, 1492.
 Signed by President, 1378.
 Sent to Governor, 1628.

Senate Bill No. 218—(Committee on Irrigation and Drainage)

Senate Bill No. 218. A Bill for an Act Providing That the State and the Several Counties of the State Are Authorized to Acquire by Purchase, Exchange, Gift, Condemnation or Otherwise the Title to Any Land Within the Same Political Subdivision for the Purpose of Establishing Any Public Park or Recreational Area, or for the Purpose of Constructing, Maintaining and Operating Any Water and/or Wild-life Conservation Project; Providing That All Lands to Be Purchased or Exchanged Under Authority of This Act Shall Be Appraised by the Existing Appraisal Agencies of the Parties to the Contract; Providing That Where No Such Appraisal Agency Exists the County Board of Commissioners Shall Determine the Value Thereof, and Providing That No Land Shall Be Purchased for More Than the Appraised Value, nor Shall Any Lands Owned by the State or the Several Counties Be Exchanged Except for Lands of an Equal Appraised Value; Providing That the State of North Dakota Shall Reserve All Mineral Rights to All State Lands Transferred Under Authority of This Act; Providing a Saving Clause; Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 427.
 Reference, 427.
 Reported back, 641.
 Amended, 641.
 Passed, 845.
 Sent to House, 884, 1324.
 Returned to Senate, 1240, 1403.
 Signed by President, 1319.
 Sent to Governor, 1645.

Senate Bill No. 219—(Committee on Irrigation and Drainage)

Senate Bill No. 219. A Bill for an Act Providing That No Fee Shall Be Charged or Collected for the Recording or Filing of Any Document Required by the United States or the State of North Dakota for Any Water and/or Wild-life Conservation Project; Repealing All Acts or Parts of Acts in Conflict Herewith, Declaring an Emergency.

Introduction, first reading, 427.
 Reference, 427.
 Reported back, 641.
 Passed, 844.
 Sent to House, 884, 1326.
 Returned to Senate, 1241, 1400.
 Signed by President, 1320.
 Sent to Governor, 1645.

Senate Bill No. 220—(Handley and Lowe)

Senate Bill No. 220. A Bill for an Act to Suspend the Operating of Chapter 24 of the Political Code of the State of North Dakota for the Year 1913, Being Sections 1889 to 1902 Both Inclusive of Said Compiled Laws, Relating to the Enumeration of Inhabitants in the State of North Dakota, and Declaring an Emergency.

Introduction, first reading, 427.
 Reference, 428.
 Reported back, 593.
 Passed, 672.
 Other action, 677.
 Sent to House, 685, 1171.
 Returned to Senate, 1106, 1184.
 Signed by President, 1152.
 Sent to Governor, 1334.
 Approved by Governor, 1362.

Senate Bill No. 221—(Coffey and Miklethun)

Senate Bill No. 221. A Bill for an Act to Amend and Re-enact Section 3583 of the Compiled Laws of North Dakota for 1913, as Amended by Section 2 of Chapter 167 of the Session Laws of the State of North Dakota for 1933, Relating to Terms of Office of Aldermen, and Declaring an Emergency.

Introduction, first reading, 428.
 Reference, 428, 656.
 Reported back, 783.
 Passed, 962.
 Other action, 962.
 Sent to House, 979, 1326.
 Returned to Senate, 1241, 1401.
 Signed by President, 1320.
 Sent to Governor, 1646.

Senate Bill No. 222—(Coffey and Miklethun)

Senate Bill No. 222. A Bill for an Act to Amend and Re-enact Section 4058 of the Compiled Laws of North Dakota for 1913, as Amended by Section 1 of Chapter 180 of the Session Laws of the State of North Dakota for 1929, Relating to the Organization of a Board of Park Commissioners, Defining the Qualifications, Mode of Election and Term of Office of Such Commissioners and Prescribing the Manner of Filling Vacancies of Said Board, and Declaring an Emergency.

Introduction, first reading, 428.
 Reference, 428.
 Reported back, 783.
 Passed, 963.
 Other action, 963.
 Sent to House, 980, 1445.
 Returned to Senate, 1370, 1492.
 Signed by President, 1441.
 Sent to Governor, 1629.

Senate Bill No. 223—(Coffey and Miklethun)

Senate Bill No. 223. A Bill for an Act to Amend and Re-enact Section 3666 of the Compiled Laws of North Dakota for 1913, Relating to the Time, Place and Manner of Holding City Elections in Cities Under the City Council Form of Government, and Providing That Elective Officers Serve Until Their Successors Are Elected and Qualify, and Declaring an Emergency.

Introduction, first reading, 428.
 Reference, 428.
 Reported back, 784.
 Passed, 964.
 Amended, 963.
 Other action, 964.
 Sent to House, 1009, 1445.
 Returned to Senate, 1370, 1492.
 Signed by President, 1441.
 Sent to Governor, 1629.

Senate Bill No. 224—(Coffey, by request)

Senate Bill No. 224. A Bill for an Act to Waive Certain Defects in Crop Listing Affidavits and Allow Insured to Recover Indemnity for Hail Losses Notwithstanding Such Defects.

Introduction, first reading, 428.
 Reference, 428.
 Reported back, 600.
 Indefinitely postponed, 601.

Senate Bill No. 225—(Wog and Brostuen)

Senate Bill No. 225. A Bill for an Act to Provide for the Incorporation of Cooperative Grazing Associations to Aid in the Conservation, Restoration, Improvement, Development and Utilization of Forage Resources in the State of North Dakota; to Authorize Such Associations to Lease County, State, Federal, or Other Lands for Such Purposes, and to Create Grazing Districts, and to Provide for the Management and Use of Such Lands Which Will Best Conserve, Restore, Improve and Develop the Forage Value Thereof.

Introduction, first reading, 431.
 Reference, 431.
 Reported back, 704.
 Amended, 705.
 Other action, 894, 989, 990, 1661, 1662.
 Passed, 989, 1662.
 Sent to House, 996, 1718.
 Returned to Senate (amended), 1615, 1729.
 Signed by President, 1717.
 Sent to Governor, 1740.

Senate Bill No. 226—(Committee on Irrigation and Drainage)

Senate Bill No. 226. A Bill for an Act to Amend and Re-

enact Sections 8320a13, 8320a14, 8320a19, 8320a20 and 8320a22 of the Supplement to the Compiled Laws of 1913, Relating to Flood Irrigation Projects, and Declaring an Emergency.

Introduction, first reading, 431.
 Reference, 431.
 Reported back, 642.
 Amended, 642.
 Passed, 846.
 Sent to House, 885, 1406, 1597.
 Returned to Senate (indefinitely postponed), 1310.
 Recalled by House, 1405.
 Returned to Senate, 1530, 1614.
 Signed by President, 1596.
 Sent to Governor, 1629.

Senate Bill No. 227—(Bonzer, Fowler and Coffey)

Senate Bill No. 227. A Bill for an Act to Amend and Re-enact Chapter 7429, Compiled Laws of North Dakota for the Year 1913, Relating to Service of Summons by Publication.

Introduction, first reading, 431.
 Reference, 431.
 Reported back, 695.
 Amended, 695.
 Passed, 892.
 Sent to House, 922, 1445.
 Other action, 1406.
 Returned to Senate, 1409, 1492.
 Signed by President, 1441.
 Sent to Governor, 1629.

Senate Bill No. 228—(Bonzer, Fowler and Coffey)

Senate Bill No. 228. A Bill for an Act to Provide for the Number of Jurors Required in All Civil Actions in All Courts of Record in the State of North Dakota.

Introduction, first reading, 432.
 Reference, 432.
 Reported back, 696.
 Indefinitely postponed, 696.

Senate Bill No. 229—(Bonzer, Fowler and Coffey)

Senate Bill No. 229. A Bill for an Act Relating to Foreclosure of Mortgage or Other Lien Upon Real Estate Providing for Service of Summons in Actions to Foreclose Mortgage or Other Lien Upon Real Estate; Providing for Personal Service or Service by Publication; Specifying Manner in Which Unknown Defendants and Representatives of Deceased Defendants May Be Joined; Providing That Said Method Shall Be in Addition to Present Remedies.

Introduction, first reading, 432.

Reference, 432.
 Reported back, 696.
 Amended, 696.
 Passed, 893.
 Sent to House, 923, 1518.
 Returned to Senate, 1436, 1554.
 Signed by the President, 1511.
 Sent to Governor, 1648.

Senate Bill No. 230—(Bonzer, Fowler and Coffey)

Senate Bill No. 230. A Bill for an Act to Amend and Re-enact Section 7745 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Notice to Be Given Upon Sale of Real Property Under Execution; Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 432.
 Reference, 432.
 Reported back, 697.
 Amended, 697.
 Passed, 894.
 Sent to House, 923, 1250.
 Returned to Senate, 1164, 1307.
 Signed by President, 1246.
 Sent to Governor, 1643.
 Approved by Governor, 1489.

Senate Bill No. 231—(Fine and Marshall)

Senate Bill No. 231. A Bill for an Act Amending and Re-enacting Sections 1495, and 1526 of the Compiled Laws of the State of North Dakota for the Year 1913, and Amending and Re-enacting Sections 1518, 1521 and 1523, of the Compiled Laws of the State of North Dakota for the Year 1919 as Amended by Chapter 161 of the Session Laws of the State of North Dakota for the Year 1919, Relating to and Modifying the Provisions of the Teachers' Insurance and Retirement Fund, and Repealing Section 1522 of the Compiled Laws of the State of North Dakota for the Year 1913.

Introduction, first reading, 462.
 Reference, 463.
 Reported back, 880.
 Amended, 880.
 Passed, 1019.
 Other action, 1019, 1020.
 Sent to House, 1023.
 Returned to Senate (Indefinitely postponed), 1530.

Senate Bill No. 232—(Committee on Appropriations)

Senate Bill No. 232. A Bill for an Act to Make an Appropriation to Provide for Payment of a Deficit in the Maintenance of the National Guard Fund, and Declaring an Emergency.

Introduction, first reading, 463.

Reference, 463.
 Reported back, 557.
 Amended, 557.
 Passed, 630.
 Sent to House, 634, 1172.
 Returned to Senate, 1107, 1183.
 Signed by President, 1152.
 Sent to Governor, 1334.

Senate Bill No. 233—(Kolpin, Lemke and Greene of Stutsman)

Senate Bill No. 233. A Bill for an Act to Amend and Re-enact Section 6762 of the Compiled Laws of North Dakota for the Year 1913, as Amended by Chapter 175, Session Laws of 1927, Relating to Filing, Renewal and Limitations of Chattel Mortgages, and Providing for the Cancellation and Satisfaction of Same; and Further Providing for the Repeal of All Acts or Parts of Acts in Conflict Herewith and Making the Same an Emergency Measure.

Introduction, first reading, 463.
 Reference, 463.
 Reported back, 602.
 Amended, 602.
 Passed, 681.
 Sent to House, 685, 1250.
 Returned to Senate, 1164, 1308.
 Signed by President, 1245.
 Sent to Governor, 1643.
 Approved by Governor, 1419.

Senate Bill No. 234—(Crandall)

Senate Bill No. 234. A Bill for an Act to Legalize and Validate Real Estate Mortgage Foreclosure Sales Made Prior to January 1, 1935, Whether or Not Power of Attorney or Attorney's Affidavit or Notice of Intention to Foreclose Has Been Filed, Recorded, Given or Served, as Provided by the Law in Force at the Time of Such Foreclosure and Sale Thereunder Were Made, and Limiting the Time Within Which Actions May Be Commenced or Defenses Interposed in Relation Thereto.

Introduction, first reading, 463.
 Reference, 463.
 Reported back, 612.
 Indefinitely postponed, 613.

Senate Bill No. 235—(McDonald)

Senate Bill No. 235. A Bill for an Act to Amend and Re-enact Sections 994, 997, 998 and 1001 of the 1913 Compiled Laws of the State of North Dakota, as Amended, Relating to Absent Voter Ballots; Repealing All Acts in Conflict Herewith.

Introduction, first reading, 463.

Reference, 463.
Reported back, 651.
Amended, 651, 987.
Other action, 852, 987, 988.
Passed, 987.
Sent to House, 1016.
Returned to Senate (Indefinitely postponed), 1553.

Senate Bill No. 236—(Strehlow and Whelan)

Senate Bill No. 236. A Bill for an Act to Regulate Ownership and Operation of Pharmacies, Requiring the Registration and Inspection and Prescribing Penalties.

Introduction, first reading, 491.
Reference, 491.
Reported back, 710.
Passed, 898.
Sent to House, 923.
Returned to Senate (Indefinitely postponed), 1161.

Senate Bill No. 237—(Bonzer)

Senate Bill No. 237. A Bill for an Act to Regulate the Practice of Professional Engineering and Land Survey, and Repealing All Acts and Parts of Acts in Conflict Herewith.

Introduction, first reading, 491.
Reference, 491.
Reported back, 708.
Amended, 709.
Passed, 896.
Sent to House, 923.
Returned to Senate (Indefinitely postponed), 1243.

Senate Bill No. 238—(Bonzer)

Senate Bill No. 238. A Bill for an Act Providing for Procedure for Issuance by a Municipality in Certain Cases of Funding Bonds to Retire Outstanding Bonds or Obligations Which Exceed the Debt Limit of That Municipality on Date of Issuance of Such Funding Bonds; Imposing Certain Duties on County Treasurers in Connection Therewith; Declaring an Emergency, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 491.
Reference, 491.
Reported back, 709.
Other action, 897.
Indefinitely postponed, 1012.

Senate Bill No. 239—(Bonzer)

Senate Bill No. 239. A Bill for an Act Authorizing Any Board or Officer Having the Control or Management of Any Real Estate Belonging to or Controlled by the State of North Dakota or Any of Its Political Subdivisions to Enter Into

Agreements with the United States of America for the Improvement of Said Real Estate by the Establishment and Maintenance of Shelterbelts of Trees and Other Plants and Necessary Protective Structures and Works Thereon, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 491.
 Reference, 491.
 Reported back, 710.
 Passed, 897.
 Sent to House, 923, 1326.
 Returned to Senate, 1241, 1401.
 Signed by President, 1320.
 Sent to Governor, 1646.

Senate Bill No. 240—(Greene of Stutsman, Johnson and Fine)

Senate Bill No. 240. A Bill for an Act to Forbid the Compulsory Enrollment of Students in Courses in Military Training and Tactics in State Supported Schools.

Introduction, first reading, 491.
 Reference, 491.
 Reported back, 705.
 Other action, 703, 895.
 Lost, 895.

Senate Bill No. 241—(Committee on Judiciary)

Senate Bill No. 241. A Bill for an Act to Provide for the Conditional Examination of Witnesses Held to Appear Before a Grand Jury or Court When Such Witnesses Are Unable to Give the Security Required by the Court.

Introduction, first reading, 491.
 Reference, 492.
 Reported back, 603.
 Passed, 682, 1276.
 Sent to House, 686, 1325.
 Returned to Senate (Amended), 1267, 1403.
 Other action, 1275, 1276, 1282.
 Signed by President, 1319.
 Sent to Governor, 1646.

Senate Bill No. 242—(Committee on Judiciary)

Senate Bill No. 242. A Bill for an Act to Amend and Re-enact Section 11119, Compiled Laws of 1913, and to Permit the Deposit of Money or Bonds as Bail in Criminal Cases.

Introduction, first reading, 492.
 Reference, 492.
 Reported back, 603.
 Amended, 603, 683.
 Other action, 683, 1276, 1282.
 Passed, 683, 1277.
 Sent to House, 734, 1326.
 Returned to Senate (Amended), 1267, 1401.

Signed by President, 1321.
Sent to Governor, 1646.

Senate Bill No. 243—(Committee on Judiciary)

Senate Bill No. 243. A Bill for an Act to Amend and Re-enact Section 10606, Compiled Laws of 1913, Relating to Preliminary Examinations of Persons Accused of Crime, and Permitting the Defendant to Make Unsworn Statements in Answer to the Charge Against Him.

Introduction, first reading, 492.
Reference, 492.
Reported back, 603.
Passed, 718.
Sent to House, 734.
Returned to Senate, 1107.
Indefinitely postponed by House, 1107.

Senate Bill No. 244—(Committee on Judiciary)

Senate Bill No. 244. A Bill for an Act to Permit Fidelity and Surety Companies to Act as Sureties Upon Civil or Criminal Undertakings for Bail.

Introduction, first reading, 492.
Reference, 492.
Reported back, 604.
Passed, 719.
Sent to House, 734, 1251.
Returned to Senate, 1164, 1307.
Signed by President, 1246.
Sent to Governor, 1643.
Approved by Governor, 1489.

Senate Bill No. 245—(Committee on Judiciary)

Senate Bill No. 245. A Bill for an Act to Fix the Venue of Crimes Committed in or Against Aircraft in Flight, and Upon Trains or Other Vehicles.

Introduction, first reading, 492.
Reference, 492.
Reported back, 604.
Amended, 604.
Passed, 720.
Sent to House, 734, 1251.
Returned to Senate, 1164, 1309.
Signed by President, 1246.
Sent to Governor, 1643.
Approved by Governor, 1489.

Senate Bill No. 246—(Committee on Judiciary)

Senate Bill No. 246. A Bill for an Act to Provide for the Use of Alternate Jurors in Criminal Cases, and to Regulate the Practice of the Courts in Regard Thereto.

Introduction, first reading, 492.
Reference, 492.
Reported back, 604.
Passed, 720.
Sent to House, 734, 1248.
Returned to Senate, 1164, 1309.
Signed by President, 1244.
Sent to Governor, 1643.
Approved by Governor, 1507.

Senate Bill No. 247—(Peterson and Matthaehi)

Senate Bill No. 247. A Bill for an Act Providing for the Disposition of Liquor and for the Applying of the Proceeds Thereof to the General Fund of the County Where Such Liquor was Seized or is Held, and Declaring an Emergency.

Introduction, first reading, 492.
Reference, 492.
Reported back, 697.
Amended, 697.
Other action, 894, 1012.
Passed, 1011.
Sent to House, 1016.
Returned to Senate (Indefinitely postponed), 1530.

Senate Bill No. 248—(Erickson and Bonzer)

Senate Bill No. 248. A Bill for an Act Authorizing the County Commissioners of the Several Counties in the State of North Dakota to Contract With One or More Printing or Publishing Establishments in the County to Perform All Printing for Which Said Counties May Be Chargeable and Fixing a Price Therefor; Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 493.
Reference, 493.
Reported back, 826.
Other action, 826, 830, 1005.
Amended, 827.
Indefinitely postponed, 1005.

Senate Bill No. 249—(McDonald)

Senate Bill No. 249. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend the Present Sewerage System of the State Penitentiary to Connect With the City of Bismarck System of Sewerage, Providing for the Use of Prison Labor, or to Make Provision for its Construction by Governmental Agency; Making an Appropriation Therefor, and Declaring an Emergency.

Introduction, first reading, 493.
Reference, 493.
Reported back, 636.
Amended, 636.

Passed, 843.
 Sent to House, 884, 1326.
 Returned to Senate, 1241, 1401.
 Signed by President, 1321.
 Sent to Governor, 1646.

Senate Bill No. 250—(Whelan and Greene of Stutsman)

Senate Bill No. 250. A Bill for an Act to Exempt Grain Warehousemen from Suit for Conversion of Grain Bought, Unless the Instrument Creating Said Interests of Liens Is on File or of Record, or Written Notice of the Existence Thereof Is Given to the Warehousemen.

Introduction, first reading, 493.
 Reference, 493.
 Reported back, 694.
 Passed, 891.
 Sent to House, 922.
 Returned to Senate (Indefinitely postponed), 1490.

Senate Bill No. 251—(Whelan and Greene of Stutsman)

Senate Bill No. 251. A Bill for an Act to Suspend the Operation of Chapter 311 of the Laws of 1931 as Applied to Public Warehouses, for a Period of Two Years, and Providing the Inspection May Be Made by Qualified Inspectors.

Introduction, first reading, 493.
 Reference, 493.
 Reported back, 695.
 Indefinitely postponed, 695.

Senate Bill No. 252—(Peterson and Matthaei)

Senate Bill No. 252. A Bill for an Act Providing for the Speedy Liquidation of Insolvent Banks, Providing Procedure for Liquidating and Closing Receiverships of Insolvent Banks, Granting Additional Powers to the Supreme Court and Directing the Procedure to Be Had by Said Court and Defining the Powers and Duties of the Supreme Court in Bank Receiverships.

Introduction, first reading, 493.
 Reference, 493.
 Reported back, 784.
 Amended, 784.
 Passed, 965.
 Other action, 964, 965.
 Sent to House, 980.
 Returned to Senate (Indefinitely postponed), 1449.

Senate Bill No. 253—(Erickson, by request)

Senate Bill No. 253. A Bill for an Act to Amend and Re-enact Sections 3176a1, 3176a2, 3176a3, 3176a4, 3176a5, and 3176a6 of the 1925 Supplement to the Compiled Laws of the

State of North Dakota, Relating to Designation of State,
County and Municipal Official Newspapers.

Introduction, first reading, 494.
Reference, 494, 805.
Reported back, 704.
Indefinitely postponed, 704, 879.
Reconsidered, 805.

Senate Bill No. 254—(Erickson and Bonzer)

Senate Bill No. 254. A Bill for an Act Re-enacting Sections 917, 918 and 919 of the Compiled Laws of North Dakota for 1913, and to Provide for Party Registration of Electors Desiring to Vote at Any Primary Election in This State, and Providing for Registration and Enrollment Books, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 494.
Reference, 494.
Reported back, 611.
Other action, 725, 891, 1007.
Lost, 1007.

Senate Bill No. 255—(Bonzer)

Senate Bill No. 255. A Bill for an Act to Amend and Re-enact Sections 3028 and 3034 of the Compiled Laws of the State of North Dakota for 1913, Relating to Licensing of Peddlers and Declaring an Emergency.

Introduction, first reading, 494.
Reference, 494.
Reported back, 595.
Amended, 595.
Other action, 677, 891.
Indefinitely postponed, 891.

Senate Bill No. 256—(Bonzer)

Senate Bill No. 256. A Bill for an Act to Make an Appropriation from the North Dakota Twine and Cordage Plant Fund for the Purchase of Additional Land for the State Penitentiary.

Introduction, first reading, 494.
Reference, 494.
Reported back, 712.
Indefinitely postponed, 712.

Senate Bill No. 257—(Kroeber)

Senate Bill No. 257. A Bill for an Act to Amend and Re-enact Section 1372a of Article 17 of Chapter 12 of the Compiled Laws of North Dakota 1913 Providing for Citizenship of Teachers and Requiring Oath to Support the Constitution of

the State of North Dakota and Constitution of the United States of America.

Introduction, first reading, 494.
Reference, 494.
Reported back, 785.
Indefinitely postponed, 785.

Senate Bill No. 258—(Bonzer)

Senate Bill No. 258. A Bill for an Act to Amend and Re-enact Section 3839, of the 1913 Compiled Laws of North Dakota.

Introduction, first reading, 494.
Reference, 495.
Reported back, 785.
Indefinitely postponed, 785.

Senate Bill No. 259—(Gronvold, by request)

Senate Bill No. 259. A Bill for an Act to Amend and Re-enact Section 23 of Chapter 148 of the 1931 Session Laws, Relating to Non-Resident License. Cost. How Issued. Application. Form. Game Shipments.

Introduction, first reading, 495.
Reference, 495.
Reported back, 817.
Other action, 1002, 1003.
Lost 1002.

Senate Bill No. 260—(Bonzer)

Senate Bill No. 260. A Bill for an Act Creating a State Highway Patrol for the State of North Dakota; Authorizing the Highway Department to Appoint a State Highway Patrol Superintendent, an Assistant State Highway Patrol Superintendent, and Highway Police; Designating Powers and Qualifications of Such Police; Fixing Compensation and Providing for Disposition of Fines Collected.

Introduction, first reading, 495.
Reference, 495.
Reported back, 817.
Amended, 818, 1704.
Other action, 819, 927, 941, 1587, 1705.
Passed, 941, 1705.
Sent to House, 976, 1588, 1734.
Returned to Senate (Indefinitely postponed), 1553.
Recalled by the House, 1587.
Returned to Senate (Amended), 1615, 1738.
Conference committee, 1664, 1665, 1671, 1704, 1706.
Signed by President, 1732.
Sent to Governor, 1743.

Senate Bill No. 261—(Bonzer)

Senate Bill No. 261. A Bill for an Act Transferring a Sum of Fifty Thousand Dollars from the General Fund to the "Returned Soldiers Fund" Heretofore Transferred from the Returned Soldiers Fund to the General Fund Under the Provisions of Chapter 82 of the Session Laws of 1931, and Declaring an Emergency.

Introduction, first reading, 495.
 Reference, 495.
 Reported back, 635.
 Amended, 635.
 Passed, 843.
 Sent to House, 884, 1251.
 Returned to Senate, 1163, 1309.
 Signed by President, 1246.
 Sent to Governor, 1643.

Senate Bill No. 262—(Matthaei)

Senate Bill No. 262. A Bill for an Act Temporarily Extending the Time in Which Redemption May Be Made from Tax Sales and Extending the Time in Which Holders of Tax Sale Certificates May Present the Same for Obtaining Tax Deeds, and Extending the Time in Which Tax Deeds May Be Obtained, and Declaring an Emergency and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 495.
 Reference, 495.
 Reported back, 786.
 Other action, 950, 951, 1373, 1374.
 Passed, 951, 1373.
 Sent to House, 978, 1391.
 Returned to Senate (Amended), 1370, 1492.
 Signed by President, 1379.
 Sent to Governor, 1629.

Senate Bill No. 263—(Erickson)

Senate Bill No. 263. A Bill for an Act to Amend and Re-enact Sections 2350, 2412 and 2417 of the Compiled Laws of North Dakota of the Year 1913 Relating to the Military Code of the State of North Dakota; Defining Military Forces; Providing a Board of Armory Supervisors and Defining the Powers Thereof; Fixing the Pay and Allowances of Enlisted Men on Active Duty and Further Providing for the Appointment of an Assistant Adjutant General, His Powers and Duties; The Appointment of a Disbursing Officer, His Powers and Duties; Requiring Officers to Furnish Bonds; Providing Punishment for False Certificates or Returns and for the Misuse of Funds or Property; Providing that State and Municipal Officers and Employees Shall Not Lose Pay While on Duty; Giving Troops Power to Act Outside of Occupied Territory; Providing for the Service of Process of Military Courts; Providing that the Invalidation of a Portion of This Act Shall Not Invalidate the Remainder Thereof and Repeal-

ing Sections 2392, 2421, 2432b and 2434 of the Compiled Laws North Dakota of the Year 1913 and Sections 2423a and 2442a of the 1925 Supplement to the Compiled Laws of North Dakota of the Year 1913 and All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 495.
 Reference, 496.
 Reported back, 786.
 Other action, 953, 954, 1020, 1021.
 Indefinitely postponed, 953.
 Reconsidered, 1020.
 Passed, 1020.
 Sent to House, 1023, 1518.
 Returned to Senate, 1436, 1554.
 Signed by the President, 1512.
 Sent to Governor, 1649.

Senate Bill No. 264—(Bonzer)

Senate Bill No. 264. A Bill for an Act Relating to Licensing of Motor Vehicle Operators and Chauffeurs and to the Liability of Certain Persons for Negligence in the Operation Thereof on Public Highways; Fixing Fee to be Paid; Providing for Examination of Applicant; Providing for Suspension or Revocation of License; Making Disposition of Fees Collected; Providing for Penalty for Violating Act; Repealing All Acts in Conflict Herewith, and Declaring an Emergency; Appropriation.

Introduction, first reading, 496.
 Reference, 496.
 Reported back, 807.
 Amended, 807, 930, 1701.
 Other action, 927, 930, 931, 1701, 1702.
 Passed, 930, 1701.
 Sent to House, 975, 1737.
 Returned to Senate (Amended), 1615, 1740.
 Conference committee, 1664, 1665, 1671, 1700, 1702, 1704.
 Signed by President, 1735.
 Sent to Governor, 1743.

Senate Bill No. 265—(McDonald)

Senate Bill No. 265. A Bill for an Act Defining the Qualifications of the County Surveyor.

Introduction, first reading, 496.
 Reference, 496.
 Reported back, 594.
 Indefinitely postponed, 594.

Senate Bill No. 266—(Nelson of Grand Forks, Stucke, Matthaei and Whelan)

Senate Bill No. 266. A Bill for an Act Authorizing and Directing the Board of Administration of the State of North Dakota to Re-touch and Repair the Portraits and

Paintings of the Former Governors and Legislative Assemblies of North Dakota or Other Paintings and Portraits Having Been Damaged by Exposure to Moisture and Change of Temperature and Making an Appropriation, and Declaring an Emergency.

Introduction, first reading, 496.
 Reference, 496.
 Reported back, 634.
 Amended, 635.
 Passed, 842.
 Sent to House, 884.
 Returned to Senate, 1107.
 Indefinitely postponed by House, 1107.

Senate Bill No. 267—(Fine)

Senate Bill No. 267. A Bill for an Act to Amend and Re-enact Sections 5535 and 5536 of the Compiled Laws of the State of North Dakota for the Year 1913.

Introduction, first reading, 496.
 Reference, 497.
 Reported back, 819.
 Other action, 1006, 1007.
 Lost, 1006.

Senate Bill No. 268—(Fine)

Senate Bill No. 268. A Bill for an Act to Regulate and Control the Charges and Commissions Asked by Local Farm Machinery Dealers or Agents, for Parts and Extras Which Are Not Carried in Local Stock; Defining Violations; Providing for Enforcement and Prosecution, and Supersedence of This Act.

Introduction, first reading, 497.
 Reference, 497.
 Reported back, 605.
 Amended, 605.
 Lost, 721.

Senate Bill No. 269—(Miklethun)

Senate Bill No. 269. A Bill for an Act Authorizing, Directing and Empowering the Proper Officials of the State of North Dakota to Release, Discharge and Satisfy That Certain Real Estate Mortgage Executed by "Company G" 1st Regiment North Dakota National Guard Training School, a Corporation, as Mortgagor, to the State of North Dakota, Dated January 25th, 1909, Filed for Record in the Office of the Register of Deeds of Barnes County, North Dakota, on April 9th, 1909, at Two O'Clock, P. M. and Recorded in Book 43 of Mortgages on Page 3, and Covering Lot Sixteen (16) and the North Half (N½) of Lot Seventeen (17) in Block Seventeen (17) of the Original Plat of Valley City, North Dakota.

Introduction, first reading, 497.
Reference, 497, 703.
Reported back, 787.
Passed, 965, 1559.
Other action, 966, 1558, 1559, 1564.
Sent to House, 980, 1635.
Returned to Senate (amended), 1532, 1673.
Signed by President, 1631.
Sent to Governor, 1713.

Senate Bill No. 270—(Lind, by request)

Senate Bill No. 270. A Bill for an Act to Amend and Re-enact Section 9007 of the Compiled Laws of North Dakota for the Year 1913, Defining the Jurisdiction and Authority of Justices of the Peace in Criminal Matters.

Introduction, first reading, 497.
Reference, 497.
Reported back, 605.
Indefinitely postponed, 605.

Senate Bill No. 271—(Lind, by request)

Senate Bill No. 271. A Bill for an Act Empowering the Board of County Commissioners to Abate, Cancel or Reduce Personal Property Taxes Upon Evidence Satisfying Said Commissioners of the Unjustness of the Assessment or Taxes; Providing a Manner Through Which the Same May Be Done, and Declaring an Emergency.

Introduction, first reading, 497.
Reference, 497.
Reported back, 787.
Amended, 787.
Passed, 966.
Other action, 967.
Sent to House, 980.
Returned to Senate (indefinitely postponed), 1490.

Senate Bill No. 272—(Ettestad, by request)

Senate Bill No. 272. A Bill for an Act to Amend and Re-enact Section 3257 of the Compiled Laws of North Dakota of 1913; to Repeal Section 3258 of the Compiled Laws of North Dakota of 1913; Provide for the Election of Justices of the Peace and Constables in Each County Commissioner District; Abolish the Offices of County Justice of the Peace, County Constable, Township Justice of the Peace and Township Constable, and for Other Purposes.

Introduction, first reading, 497.
Reference, 498.
Reported back, 650.
Indefinitely postponed, 650.

Senate Bill No. 273—(Stucke and Mutchler)

Senate Bill No. 273. A Bill for an Act to Appropriate the

Sum of One Thousand Dollars (\$1,000.00) From Any Moneys in the State Highway Fund for the Purpose of Making a Preliminary Survey and Soundings for the Construction of a Bridge Across the Little Missouri River at or Near the Intersection of the Little Missouri River With the Trail Passing South of Independence and Crossing Section Twenty-nine (S. 29), Township One Hundred Forty-eight (T. 148), Range Ninety-one (R. 91) Dunn County, North Dakota, Approximately Six Miles Northwest of the Fort Berthold Bridge, Also Known as the Four Bears Bridge, Under the Provisions of Chapter Seventy-three (73) of the Laws of North Dakota for the year Nineteen Hundred Nineteen (1919) (Sections 1952a1 and 1952a2 of the 1925 Supplement to the Compiled Laws of 1913) as Amended and Re-enacted by Chapter 161, Laws of 1927, as Amended and Re-enacted by Chapter 140 of the Laws of 1929, and Directing the State Highway Commissioner Forthwith to Designate Said Trail as a Feeder Road to State and Federal Highway No. 8, and to Forthwith Make Said Soundings and Survey, and Select a Bridge Site; and Directing Said Highway Commissioner Forthwith to Construct Such Bridge, and Do All Necessary Preliminary Acts Therein.

Introduction, first reading, 527.
 Reference, 527.
 Reported back, 788.
 Amended, 788.
 Other action, 789, 943.
 Passed, 942.
 Sent to House, 976, 1518.
 Returned to Senate, 1436, 1554.
 Signed by the President, 1512.
 Sent to Governor, 1649.

Senate Bill No. 274—(Fine)

Senate Bill No. 274. A Bill for an Act to Amend and Re-enact Section 3 of Chapter 162, Session Laws of North Dakota for the Year 1919, and Acts Amendatory Thereof, Which Said Section Relates to the Disbursing of Compensation From the Workmen's Compensation Fund, and the Conditions Under Which Such Disbursement Shall Be Made, and Providing for Payment During the Lifetime of Any Person Permanently Injured Sixty Percent, or More.

Introduction, first reading, 527.
 Reference, 527.
 Reported back, 706.
 Indefinitely postponed, 706.

Senate Bill No. 275—(McDonald)

Senate Bill No. 275. A Bill for an Act Creating a City Board of Inspectors to Be Known as "Painters and Decorators Inspection Board" in Cities of Two Thousand Population or Over; Providing for the Appointment of the Members of the Said Board; Requiring All Painters, Decorators, and Paperhangers to Obtain Permits From Said City Board;

Providing for the Inspection of Work of Painters, Decorators and Paperhangers; Providing for the License Fee and Penalties for the Violation Thereof and Declaring an Emergency.

Introduction, first reading, 527.
 Reference, 528.
 Reported back, 789.
 Amended, 789.
 Other action, 790, 968.
 Passed, 967.
 Sent to House, 980.
 Returned to Senate (indefinitely postponed), 1449.

Senate Bill No. 276—(Bonzer)

Senate Bill No. 276. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 177, Laws of North Dakota for 1927 as Amended by Chapter 182, Laws of North Dakota for 1931, Relating to the Coloring of Gasoline by the Use of a Harmless Dye.

Introduction, first reading, 528.
 Reference, 528.
 Reported back, 711.
 Passed, 901.
 Sent to House, 924, 1445.
 Returned to Senate, 1369, 1492.
 Signed by President, 1441.
 Sent to Governor, 1629.

Senate Bill No. 277—(Committee on Appropriations)

Senate Bill No. 277. A Bill for an Act Authorizing the Board of Administration to Construct, Either Independently of or Jointly With the City of Grafton, a Sewage Disposal Plant for the Grafton State School and Making an Appropriation Therefor.

Introduction, first reading, 528.
 Reference, 528.
 Reported back, 592.
 Passed, 670.
 Sent to House, 684, 1325.
 Returned to Senate, 1241, 1403.
 Signed by President, 1319.
 Sent to Governor, 1646.

Senate Bill No. 278—(Committee on Appropriations)

Senate Bill No. 278. A Bill for an Act Relating to Election Privileges Mentioned at Article 9 of Chapter 11 of the Political Code of North Dakota, Abolishing the Statutory Requirement That a Publicity Pamphlet Be Printed and Mailed in Connection With Certain Elections; Amending and Re-enacting Sections 923 and 928 of the Compiled Laws of North Dakota 1913 and Repealing Sections 924, 925, 926 and 927 of the Compiled Laws North Dakota, 1913; Repealing Sections 927a1 and 927a2 of the 1925 Supplement, and All

Acts or Parts of Acts in Conflict Herewith; Providing When and How This Act May or May Not Become Effective.

Introduction, first reading, 528.
 Reference, 528.
 Reported back, 588.
 Indefinitely postponed, 588.

Senate Bill No. 279—(Committee on Women's and Children's Welfare)

Senate Bill No. 279. A Bill for an Act Amending and Re-enacting Section 4440a1 and 4446 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913 Relating to Custody and Assignment of Children Prohibited in Certain Cases, Requiring Consent in Writing for Adoption of Child, Prohibiting Transfer of Guardianship Without Notice to the Board of Administration, Petition for Adoption, Notice to Board of Administration, Report of Board, Petition When Granted, and Repealing All Acts in Conflict Therewith.

Introduction, first reading, 528.
 Reference, 528, 617.
 Reported back, 712.
 Passed, 905.
 Sent to House, 924.
 Returned to Senate (indefinitely postponed), 1243.

Senate Bill No. 280—(Fine and Greene of Stutsman)

Senate Bill No. 280. A Bill for an Act to Provide for the Establishment of County Debt Adjustment Boards, Prescribing the Duties and Powers of Such Boards and the Duties of the Judges and the Clerks of the District Courts as Regards Such Boards.

Introduction, first reading, 529.
 Reference, 529.
 Reported back, 711.
 Amended, 900.
 Other action, 900, 1606, 1668, 1669.
 Passed, 900, 1668.
 Sent to House, 923, 1606, 1734.
 Returned to Senate (indefinitely postponed), 1553.
 Recalled by House, 1606.
 Returned to Senate (amended), 1623, 1738.
 Signed by President, 1732.
 Sent to Governor, 1744.

Senate Bill No. 281—(Fine and Greene of Stutsman)

Senate Bill No. 281. A Bill for an Act Relating to the Incorporation of Mutual Aid Non-Profit Corporations, and Defining Their Purposes and Powers and Declaring an Emergency.

Introduction, first reading, 529.
 Reference, 529.

Reported back, 710.
 Passed, 899.
 Sent to House, 923, 1519.
 Returned to Senate, 1435, 1554.
 Signed by the President, 1512.
 Sent to Governor, 1648.

Senate Bill No. 282—(Matthaei)

Senate Bill No. 282. A Bill for an Act to Permit Mutual Cyclone and Tornado Insurance Companies to Insure Its Members Against Fire or Lightning.

Introduction, first reading, 529.
 Reference, 529.
 Reported back, 790.
 Other action, 600.
 Amended, 790.
 Passed, 968.
 Sent to House, 981.
 Returned to Senate (indefinitely postponed), 1162.

Senate Bill No. 283—(Committee on Women's and Children's Welfare)

Senate Bill No. 283. A Bill for an Act to Amend and Re-enact Section 9606a1 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Declaring it Unlawful to Place Certain Children in Almshouses or Other Institutions Without the Consent of the Board of Administration, With Certain Exceptions, Prohibiting Placing of Certain Children in the State Training School, and Repealing All Acts in Conflict Therewith.

Introduction, first reading, 529.
 Reference, 529.
 Reported back, 712.
 Other action, 901.
 Passed, 902.
 Sent to House, 924, 1326.
 Returned to Senate, 1241, 1401.
 Signed by President, 1321.
 Sent to Governor, 1646.
 Approved by Governor, 1507.

Senate Bill No. 284—(Erickson)

Senate Bill No. 284. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 161 of the Session Laws of the State of North Dakota for the Year 1919 (Section 1518 of the Supplement of 1925) Relative to the Retirement of Teachers Eligible to Annuity, Defining Eligibility and Fixing Time From Which Annuity is Payable.

Introduction, first reading, 529.
 Reference, 529.
 Reported back, 864.
 Indefinitely postponed, 864.

Senate Bill No. 285—(Whelan, Greene of Stutsman and Fowler)

Senate Bill No. 285. A Bill for an Act to License and Regulate the Business of Making Loans in Sums of Eight Hundred Dollars or Less, Secured or Unsecured, at a Greater Rate of Interest Than the Existing Legal Rate of Interest, Prescribing the Rate of Interest and Charge Therefor and Penalties for Violation Therefor, and Regulating the Assignment of Wages or Salaries Earned or to Be Earned and the Execution of Chattel Mortgages, When Given as Security for Any Such Loan, and Declaring an Emergency.

Introduction, first reading, 529.
Reference, 530.
Reported back, 790.
Indefinitely postponed, 791.

Senate Bill No. 286—(Bonzer)

Senate Bill No. 286. A Bill for an Act Validating Payments Heretofore Made by the State or Municipalities for Payments of Workmen's Compensation Insurance; Authorizing Municipalities to Pay Such Premiums With Any Moneys Except Special Levies and to Draw Special Warrants for Premiums Where Funds Are Unavailable and Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 530.
Reference, 530.
Reported back, 791.
Amended, 791.
Passed, 971.
Other action, 971.
Sent to House, 981, 1327.
Returned to Senate, 1242, 1401.
Signed by President, 1321.
Sent to Governor, 1647.
Approved by Governor, 1507.

Senate Bill No. 287—(Bonzer)

Senate Bill No. 287. A Bill for an Act Authorizing the Workmen's Compensation Bureau to Carry Compensation Insurance on Employees on National Recovery Work Projects and to Calculate and Determine Rates on a State Wide Experience Basis.

Introduction, first reading, 530.
Reference, 530.
Reported back, 791.
Amended, 791.
Passed, 971.
Other action, 972.
Sent to House, 981, 1518.
Returned to Senate, 1435, 1554.
Signed by the President, 1511.
Sent to Governor, 1648.

Senate Bill No. 288—Brostuen, by request)

Senate Bill No. 288. A Bill for an Act Validating and Legalizing the Incorporation of the Village of Watford City, McKenzie County, North Dakota, as the City of Watford City, McKenzie County, North Dakota.

Introduction, first reading, 530.
 Reference, 530.
 Reported back, 650.
 Withdrawn, 661.

Senate Bill No. 289—(McDonald)

Senate Bill No. 289. A Bill for an Act to Amend and Re-enact Section 11100 of the Compiled Laws of the State of North Dakota, Relating to Quorum and Majority Vote of Board Required to Grant Pardon, Providing for the Time of Meetings.

Introduction, first reading, 530.
 Reference, 530.
 Reported back, 792.
 Amended, 792.
 Other action, 915, 1566, 1567, 1575.
 Passed, 918, 1566.
 Sent to House, 937, 1635.
 Returned to Senate (Amended), 1551, 1671.
 Signed by President, 1632.
 Sent to Governor, 1713.

Senate Bill No. 290—(Young, Braaten and Topp)

Senate Bill No. 290. A Bill for an Act Imposing a Tax Upon Dogs; Providing for the Assessment, Levy and Collection Thereof; Providing for the Issuance of License Tags for All Dogs Upon Which Said Tax is Assessed; Providing for the Determination and Payment of Losses from Tax Collected Thereunder to the Owners of Livestock or Poultry Damaged by Dogs; Providing for the Killing of Dogs in Certain Cases; Providing for Liability Insurance on Dogs; Providing for Hearing and Appeal; Imposing Powers and Duties on Certain County Officers and Employees, and Providing Penalties for the Violation of This Act, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 530.
 Reference, 531.
 Reported back, 820.
 Amended, 820, 946.
 Other action, 944, 946, 947.
 Passed, 946.
 Sent to House, 1009.
 Returned to Senate (Indefinitely postponed), 1531.

Senate Bill No. 291—(Brostuen, by request)

Senate Bill No. 291. A Bill for an Act Legalizing and Validating Bond Issues and the Increase of Debt Limits and Elections Held in Connection Therewith by the City of Watford City, McKenzie County, North Dakota.

Introduction, first reading, 531.
Reference, 531.
Withdrawn, 661.

Senate Bill No. 292—(Bonzer)

Senate Bill No. 292. A Bill for an Act Amending Section 10254 of the Compiled Laws of 1913, Relating to Jumping of Hotel Bills and Bills for Food, Lodging, or Other Accommodations, at Any Hotel, Lodging House, Inn, Boarding or Eating House.

Introduction, first reading, 531.
Reference, 531.
Reported back, 792.
Passed, 972.
Other action, 973.
Sent to House, 981.
Returned to Senate (Indefinitely postponed), 1161.

Senate Bill No. 293—(McGillic, by request)

Senate Bill No. 293. A Bill for an Act Prohibiting the Sale, Removal, Material Injury or Destruction of Any Building or Other Improvements on Lands Upon Which There is an Unsatisfied Real Estate Mortgage of Record Held by the Government of the United States, or Any of its Agencies or Instrumentalities, or an Outstanding Sheriff's Certificate of Sale Under Foreclosure of Any Such Mortgage, or While Any Such Foreclosure Sale is Pending, Without the Written Consent of the Holder of Such Mortgage or Certificate of Sale, and Providing for a Penalty for Any Violation Thereof.

Introduction, first reading, 531.
Reference, 531.
Reported back, 821.
Amended, 821.
Lost, 1004.
Other action, 1005.

Senate Bill No. 294—(Committee on Taxes and Tax Laws)

Senate Bill No. 294. A Bill for an Act to Amend and Re-enact Section 2346a11 of the Supplement to the Compiled Laws of 1913, as Amended and Re-enacted by Section 2 of Chapter 253 of the 1933 Session Laws; Section 2346a20 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Section 4 of Chapter 253 of the 1933 Session Laws; Section 2346a18 of the Supplement to the Compiled Laws of 1913 as Amended and Re-enacted by Sub-section 4

of Section 4 of Chapter 283 of the 1931 Session Laws, Relating to the Taxation of Income of Individuals, Fiduciaries and Corporations; Repealing That Portion of Section 2346a46 of the Supplement to the Compiled Laws of 1913 as was Amended and Re-enacted by Paragraph (b) of Sub-section 4 of Section 6 of Chapter 283 of the 1931 Session Laws and Repealing Sub-section 7 of Section 4 of Chapter 283 of the 1931 Session Laws, and Repealing Sub-section 7 of Section 2346a30 of the 1925 Supplement to the Compiled Laws, and All Other Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Introduction, first reading, 531.
 Reference, 532.
 Reported back, 832.
 Amended, 832.
 Other action, 943, 944.
 Passed, 943.
 Sent to House, 977, 1636.
 Returned to Senate, 1552, 1671.
 Signed by President, 1632.
 Sent to Governor, 1713.

Senate Bill No. 295—(Brostuen, Lind and Wog, by request)

Senate Bill No. 295. A Bill for an Act to Permit Boards of County Commissioners to Set Aside and Transfer for Park and Recreational Purposes Lands Acquired by the County Through Tax Deed, and Declaring an Emergency.

Introduction, first reading, 532.
 Reference, 532.
 Reported back, 709.
 Passed, 897.
 Sent to House, 923, 1249.
 Returned to Senate, 1163, 1308.
 Signed by President, 1244.
 Sent to Governor, 1644.

Senate Bill No. 296—(Brostuen, Lind and Wog, by request)

Senate Bill No. 296. A Bill for an Act to Provide for the Creation of Water Conservation Districts; to Provide for Water Conservation Commissioners and Fix Their Powers and Duties; to Provide for a State Water Conservation Commissioner and Fix His Powers and Duties; to Provide for the Acquisition of Property Rights and the Assessment of Benefits Against the Property Affected, and to Provide for the Levy of Special Assessments and Prescribing the Duties of County Commissioners Relating to Water Conservation Projects, Providing for the Exemption of Federal Projects and Agencies, and Declaring an Emergency.

Introduction, first reading, 532.
 Reference, 532.
 Reported back, 793.
 Amended, 793.
 Other action, 990, 991.

Passed, 990.
 Sent to House, 997, 1519.
 Returned to Senate, 1437, 1554.
 Signed by President, 1512.
 Sent to Governor, 1648.

Senate Bill No. 297—(Brostuen)

Senate Bill No. 297. A Bill for an Act Providing for the Cancellation of Record of Certain Chattel Mortgages and Certain Written Agreements Relating to Personal Property, by the Register of Deeds, for Cancelling Certain Bills of Sale, Requiring Assignments of Chattel Mortgages to Be Filed Before the Filing of Affidavit of Renewal or Satisfaction, and Repealing All Acts in Conflict Therewith.

Introduction, first reading, 532.
 Reference, 532.
 Reported back, 714.
 Amended, 714.
 Passed, 907.
 Sent to House, 924, 1327.
 Returned to Senate, 1242, 1402.
 Signed by President, 1321.
 Sent to Governor, 1647.
 Approved by Governor, 1507.

Senate Bill No. 298.—(Committee on State Affairs)

Senate Bill No. 298. A Resolution to Appoint and Designate the Official Photographer for the Senate of the Twenty-fourth Legislative Assembly of the State of North Dakota, and to Provide for the Making of a Group Picture of the Members of Such Body for Hanging in the Capitol, and for Payment Thereof.

Introduction, first reading, 532.
 Indefinitely postponed, 533.

Senate Bill No. 299—(Jones)

Senate Bill No. 299. A Bill for an Act Authorizing the Governing Boards of Cities to Provide Group Life, Health and Accident Insurance on the Employees of Said City and to Pay the Premiums Thereon and Declaring an Emergency.

Introduction, first reading, 536.
 Reference, 536.
 Reported back, 794.
 Passed, 973.
 Other action, 974.
 Sent to House, 981.
 Returned to Senate (Indefinitely postponed), 1448.

Senate Bill No. 300—(Kroeber)

Senate Bill No. 300. A Bill for an Act to Amend and Re-enact Section 3591a of the 1925 Supplement to the Com-

piled Laws of North Dakota for 1913, Requiring Cities to Publish in the Official Paper Proceedings of the City Councils With Certain Cities Excepted, and Repealing All Acts in Conflict Therewith.

Introduction, first reading, 536.
 Reference, 536.
 Reported back, 795.
 Amended, 795.
 Passed, 974.
 Other action, 974.
 Sent to House, 981.
 Returned to Senate (Indefinitely postponed), 1243.

Senate Bill No. 301—(Fine and Matthaei)

Senate Bill No. 301. A Bill for an Act to Repeal Chapter 138 of the Laws of North Dakota for 1929 Relating to the Storage of Grain Upon Farms and on or Near Railway Rights-of-way Within the State of North Dakota; Regulating the Same for the Purpose of Procuring Loans Upon Such Grain; Making Provisions for the Issuance of Negotiable Warehouse Certificates Upon Grain so Stored, Not in a Public Warehouse; Creating the Office of "Grain Storage Commissioner of North Dakota," Prescribing His Duties and Empowering Him to Make Rules and Regulations Necessary or Advisable to the Purposes of Such Act; Making Appropriation for the Carrying Out of the Provisions and Purposes of Such Act; Prescribing Penalties for the Violation of the Provisions Thereof; and Repealing All Acts and Parts of Acts in Conflict Therewith, and Declaring an Emergency.

Introduction, first reading, 536.
 Reference, 537.
 Withdrawn, 864.

Senate Bill No. 302—(Nelson of Grand Forks, Brostuen and Erickson)

Senate Bill No. 302. A Bill for an Act to Regulate Collection Agencies, and for the Protection of the People in General from Unscrupulous and Irresponsible Agents and Individuals Calling Themselves Collection Agencies.

Introduction, first reading, 537.
 Reference, 537.
 Reported back, 796.
 Passed, 975.
 Other action, 975.
 Sent to House, 981.
 Returned to Senate (Indefinitely postponed), 1162.

Senate Bill No. 303—(Watt)

Senate Bill No. 303. A Bill for an Act to Amend and Re-enact Chapter 166 of the Session Laws of 1929 as the Same Amends and Re-enacts Sections 2, 3, 4, 5, and 6 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; Providing for the Licensing and Bonding of Dealers in Motor Vehicle Fuels and the Revocation of Such License; 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.

Introduction, first reading, 537.
Reference, 537.
Reported back, 785.
Indefinitely postponed, 786.

Senate Bill No. 304—(Committee on Taxes and Tax Laws)

Senate Bill No. 304. A Bill for an Act to Amend and Re-enact Section Six (6) of That Certain Initiated Law Adopted by the Voters of the State of North Dakota at the Special Election Held September 22, 1933, Entitled as Follows: "An Act Defining and Providing for the Manufacture, Sale and Distribution of Beer, Providing Revenue Therefrom, and Licenses Therefor, Prohibiting the Transfer of Licenses, Excluding Certain Persons from the Right to Purchase the Same, Appointing a State Beer Commissioner and Defining His Powers, Duties, and Salary; Authorizing Cities, Villages and County Commissioners to Provide a Local Tax and Prescribe Rules and Regulations Under Which Beer May Be Sold and Authorizing Municipalities to Provide Penalties for Violation of Their Regulations; Providing for the Administrative Expense of This Act; Making it Unlawful for Any Person to Engage in the Manufacture or Sale of Beer Without First Obtaining a License Therefor; Providing a Penalty for the Violation of the Provision Thereof; Providing for a Saving Clause as to Constitutionality; and Repealing Senate Bill No. 263 Passed by the 23rd Legislative Assembly of the State of North Dakota, and All Acts or Parts of Acts in Conflict With This Act, and Making an Appropriation to Carry Out the Provisions Hereof;" and Declaring an Emergency.

Introduction, first reading, 537.
Reference, 538, 656.
Reported back, 795.
Other action, 915, 919, 920.
Passed, 919.
Sent to House, 937, 1636.
Returned to Senate, 1552, 1671.
Signed by President, 1632.
Sent to Governor, 1712.

Senate Bill No. 305—(Handley)

Senate Bill No. 305. A Bill for an Act Providing for the Payment of a Bounty on Crows and Crow Eggs.

Introduction, first reading, 538.

Reference, 538.
Reported back, 833.
Other action, 833, 927.
Lost, 940.

Senate Bill No. 306—(Eastgate, by request)

Senate Bill No. 306. A Bill for an Act Authorizing the Governor to Enter Into Agreements with the President of the United States Under an Act of Congress Entitled "An Act for the Relief of Unemployed Through the Performance of Useful Public Work, and for Other Purposes," Approved March 31, 1933, and Other Acts Supplemental Thereto; Authorizing the Governor to Enter Into Agreements With Private Land Owners, Declaring the Rights and Duties of the Conservation Commission and of Such Land Owner Thereunder and Providing Procedure for Giving Notice to Mortgagees and Lien Holders Against Lands Affected, and Declaring an Emergency.

Introduction, first reading, 538.
Reference, 538.
Reported back, 796.
Other action, 714, 951, 952, 953.
Amended, 796, 951.
Passed, 952.
Sent to House, 1010, 1597.
Returned to Senate, 1467, 1614.
Signed by President, 1596.
Sent to Governor, 1630.

Senate Bill No. 307—(Fine)

Senate Bill No. 307. A Bill for an Act Prohibiting Packers from Purchasing or Acquiring Livestock for the Purpose of Feeding and Fattening the Same, and Regulating the Business of Packers Within the State of North Dakota.

Introduction, first reading, 538.
Reference, 538.
Reported back, 797.
Amended, 797, 982.
Passed, 982.
Other action, 983.
Sent to House, 1010.
Returned to Senate (Indefinitely postponed), 1310.

Senate Bill No. 308—(Committee on Appropriations)

Senate Bill No. 308. A Bill for an Act Making an Appropriation for the Payment of the Judgment of the Ford Motor Company, a Corporation, Against the State of North Dakota.

Introduction, first reading, 538.
Reference, 538.
Reported back, 797.
Other action, 712.
Indefinitely postponed, 797.

Senate Bill No. 309—(Whelan and Peterson)

Senate Bill No. 309. A Bill for an Act Authorizing the Filling in of Printed Blank Instruments Used in the Transfer, Mortgaging, or Leasing of Real and Personal Property and Acquiring Statutory Liens by Others Than a Regularly Licensed Attorney, Repealing Conflicting Laws, and Declaring an Emergency.

Introduction, first reading, 538.
 Reference, 538, 617.
 Reported back, 797.
 Passed, 992.
 Other action, 992.
 Sent to House, 997.
 Returned to Senate (indefinitely postponed), 1162.

Senate Bill No. 310—(Whelan)

Senate Bill No. 310. A Bill for an Act Authorizing Counties, Cities, Villages, School Districts and Park Districts to Accept Devises, Bequests, Legacies and Gifts, Provided That the Title Thereto Shall Be Held in Trust; Regulating the Handling and Use of Such Property and its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made; and Declaring an Emergency.

Introduction, first reading, 539.
 Reference, 539.
 Reported back, 798.
 Amended, 798.
 Passed, 992.
 Other action, 993.
 Sent to House, 997, 1519.
 Returned to Senate, 1437, 1554.
 Signed by the President, 1513.
 Sent to Governor, 1649.

Senate Bill No. 311—(Fine and Greene of Stutsman)

Senate Bill No. 311. A Bill for an Act to Authorize Building and Loan Associations to Insure Members' Investments in Federal Savings and Loan Insurance Corporation and to Provide for the Conversion of Building and Loan Associations and Other Home Financing Organizations into Federal Savings and Loan Associations, Prescribing the Procedure Therefor, Defining the Results Thereof and Providing for the Indebtedness of Such Associations, and Declaring an Emergency.

Introduction, first reading, 539.
 Reference, 539.
 Reported back, 799.
 Amended, 799.
 Other action, 799, 994, 1556, 1557, 1564.
 Passed, 993, 1556.
 Sent to House, 997, 1635.
 Returned to Senate (amended), 1532, 1672.
 Signed by President, 1632.
 Sent to Governor, 1712.

Senate Bill No. 312—(Owings, by request)

Senate Bill No. 312. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 243 of the Session Laws of 1933, Relating to Employment of Labor of Prisoners in the State Penitentiary, for the Sale of the Products of Said Labor, the Use of Receipts from Said Sales and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 539.
 Reference, 539.
 Reported back, 799.
 Passed, 994.
 Other action, 995.
 Sent to House, 997.
 Returned to Senate (indefinitely postponed), 1490.

Senate Bill No. 313—(Committee on Taxes and Tax Laws)

Senate Bill No. 313. A Bill for an Act to Equalize Taxation and Replace in Part the Tax on Property; to Provide the Public Revenue to Be Used for Such Replacement by Imposing a Tax on the Gross Receipts From Retail Sales as Defined Herein; to Provide for the Collection of Such Tax, the Distribution and Use of the Revenue Derived Therefrom, and the Administration of Said Law; to Provide for Certain Deductions and Exemptions; to Make an Appropriation for the Administration of This Act; to Fix Fines and Penalties for the Violation of the Provisions of This Act; to Repeal All Laws or Parts of Laws in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, 539.
 Reference, 539.
 Reported back, 800.
 Amended, 801, 1697.
 Other action, 915, 920, 921, 1607, 1697, 1698.
 Passed, 921, 1697.
 Sent to House, 938, 1734.
 Returned to Senate (amended), 1552, 1738.
 Conference committee, 1604, 1605, 1607, 1614, 1651, 1696, 1699.
 Signed by President, 1733.
 Sent to Governor, 1744.

Senate Bill No. 314—(Bonzer)

Senate Bill No. 314. A Bill for an Act Creating the Department of Seeds Under the Control and Supervision of the Commissioner of Agriculture and Labor; Defining the Powers and Duties of Said Commissioner; Transferring to Said Department of Seeds the Powers and Duties Now Held by the State Seed Commissioner and Repealing All Acts or Parts of Acts in Conflict Herewith.

Introduction, first reading, 539.
 Reference, 540.
 Reported back, 888.
 Indefinitely postponed, 1006.
 Other action, 1006.

Senate Bill No. 315—(McGillic)

Senate Bill No. 315. A Bill for an Act to Amend and Re-enact Section 4688a11 of the Supplement to the Compiled Laws of North Dakota, of 1913, Relating to Abolition of Railroad Crossings, the Construction and Maintenance of Overhead and Underground Crossings and Separate Grades and Providing for the Apportionment of the Costs Thereof.

Introduction, first reading, 540.
 Reference, 540.
 Reported back, 801.
 Amended, 801.
 Passed, 995.
 Other action, 996.
 Sent to House, 998, 1445.
 Returned to Senate, 1369, 1492.
 Signed by President, 1441.
 Sent to Governor, 1628.

Senate Bill No. 316—(Fine, Trout and Thatcher)

Senate Bill No. 316. A Bill for an Act Providing for the Regulating and Licensing of Retail Coal Dealers, and Defining Coal Dealers, Providing for Collection of License Fees, Providing Procedure and Grounds for Suspension or Cancellation of Such License, to Provide for Cooperation by the State in Enforcing Certain Federal Labor Policies and Providing That the Funds Realized Hereunder Shall Be Paid Into the State Equalization Fund, and Making the Violation of its Terms a Misdemeanor.

Introduction, first reading, 540.
 Reference, 540.
 Reported back, 801.
 Indefinitely postponed, 802.
 Other action, 802, 803.

Senate Bill No. 317—(Miklethun, Fine, Kolpin and Stucke)

Senate Bill No. 317. A Bill for an Act Providing for a Registration Tax on All Sheriffs and Other Certificates of Sale in All Real Estate Mortgage Foreclosures; Requiring Said Registration Tax to Be Paid to the County Treasurer Before Such Certificates of Sale Are Filed for Record, or Recorded, in the Office of the Register of Deeds; Providing for County Treasurers Certificate of Payment of Registration Tax Before Such Certificates of Sale Shall Be Eligible for Record; Providing for Disposition of Registration Tax Funds and Providing Penalty for Violation of the Provisions of This Act.

Introduction, first reading, 540.
 Reference, 540.
 Reported back, 803.
 Other action, 804, 805, 996.
 Indefinitely postponed, 996.

Senate Bill No. 318—(Thatcher, Trout and Fine)

Senate Bill No. 318. A Bill for an Act Levying and Assessing a Tax Upon the Seating Capacity of All Moving Picture Theaters in the State of North Dakota; Providing for Collection of Said Tax; Making Disposition of the Amount Collected; Making Unlawful the Operation of Moving Picture Theaters Until the Tax Imposed is Paid; Requiring the State Regulatory Department to Enforce the Provisions of This Act and Imposing a Penalty for Violation Thereof.

Introduction, first reading, 540.
Reference, 541.
Reported back, 318.
Indefinitely postponed, 805.

Senate Bill No. 319—(Bonzer)

Senate Bill No. 319. A Bill for an Act Prohibiting the Importation into This State of Diseased Nursery Stock and Providing for Inspection Thereof; Authorizing the Commissioner of Agriculture and Labor to Regulate and to Prohibit Importation and Shipment of Diseased Nursery Stock; Providing a Penalty for Violation Hereof; Repealing all Acts or Parts of Acts in Conflict Herewith and Declaring an Emergency.

Introduction, first reading, 552.
Reference, 552.
Reported back, 806.
Indefinitely postponed, 806.

Senate Bill No. 320—(Fine)

Senate Bill No. 320. A Bill for an Act Providing That Agricultural Co-operative Associations Exempted Under the Provisions of the Federal Law Known as the Capper-Volstead Act Shall Be Exempt from the Filing of State Income Tax Returns and Payment of Income Tax, and Providing that the Attorney General May Require the Filing of Such State Income Tax Returns and Payment of Tax, Upon Proof of Violation of the Capper-Volstead Act and Repeal All Acts or Parts of Acts in Conflict Therewith.

Introduction, first reading, 552.
Reference, 552.
Reported back, 806.
Passed, 998.
Other action, 999.
Sent to House, 1009.
Returned to Senate (indefinitely postponed), 1243.

Senate Bill No. 321—(Committee on Delayed Bills)

Senate Bill No. 321. A Bill for an Act Providing for the Dissolution of Counties of This State, Providing the Procedure Therefor and Conditions Precedent, Giving Jurisdiction in Relation Thereto to the District Court, Providing

for Proclamation by the Governor, Authorizing Attaching Territory of a Dissolved County to Another County for Judicial Purposes, Providing for Future Government and Tax Action, Giving Certain Powers to County Officers of the County to Which Said Territory is Attached, Providing for Liquidation of Indebtedness and Jurisdiction and Duties in Connection Therewith and Providing for Its Obligations and Duties as an Unorganized Territory and the Execution Thereof.

Introduction, first reading, 811.
 Reference, 812.
 Reported back, 868.
 Passed, 991.
 Other action, 991.
 Sent to House, 997.
 Returned to Senate (indefinitely postponed), 1449.

Senate Bill No. 322—(Committee on Delayed Bills)

Senate Bill No. 322. A Bill for an Act to Impose a Tax of One Cent Upon the Sale of All Gasoline; Providing for the Collection Thereof and for the Disposition of the Revenue Therefrom; Fixing Penalties for Violation, and Declaring an Emergency.

Introduction, first reading, 812.
 Reference, 812.
 Reported back, 868.
 Amended, 868.
 Passed, 1018.
 Other action, 1018, 1019.
 Sent to House, 1022.
 Returned to Senate (indefinitely postponed), 1616.

Senate Bill No. 323—(Committee on Delayed Bills)

Senate Bill No. 323. A Bill for an Act Amending and Re-enacting Section 4924 of the 1925 Supplement to the Compiled Laws of North Dakota for 1913, Levying a Tax Upon Certain Insurance Companies Doing Business in This State, Providing How Levied, Amount of Tax, Proceeds—How Appropriated, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Introduction, first reading, 812.
 Reference, 812.
 Reported back, 869.
 Indefinitely postponed, 869.
 Other action, 870.

Senate Bill No. 324—(Committee on Delayed Bills)

Senate Bill No. 324. A Bill for an Act Authorizing and Empowering the Industrial Commission of the State of North Dakota to Take Such Action as May Be Proper and Necessary to Cooperate with the Emergency Conservation Work Projects of the Federal Government on State, County

and Municipally owned Lands, Authorizing the Industrial Commission to Enter Into Such Contracts and Agreements as Are Permissible Under the State Constitution with Municipalities and Private Individuals for the Carrying on of Such Emergency Conservation Work Projects, Making it the Duty of Such Commission to Make a Report of its Proceedings Under This Act to the Next Legislative Assembly, and Declaring an Emergency.

Introduction, first reading, 812.
 Reference, 812.
 Reported back, 877.
 Passed, 1030.
 Other action, 1031.
 Sent to House, 1033, 1517.
 Returned to Senate, 1437, 1554.
 Signed by President, 1510.
 Sent to Governor, 1650.

Senate Bill No. 325—(Committee on Delayed Bills)

Senate Bill No. 325. A Bill for an Act to Amend and Re-enact Section 4, of Chapter 123 of the Session 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 by the State Fire Marshal Under Direction of the State Board as Said Section is Found in Section 4 of Chapter 139 of the Session Laws of 1927.

Introduction, first reading, 812.
 Reference, 812.
 Reported back, 877.
 Indefinitely postponed, 1027.
 Other action, 1027.

Senate Bill No. 326—(Committee on Delayed Bills)

Senate Bill No. 326. A Bill for an Act to Amend and Re-enact Section 1, of Chapter 172, of the Session Laws of 1929, Which Authorizes and Empowers Cities, Towns or Villages to Purchase, Erect, Operate and Maintain or Lease Electric Light and Power Plant, Electric Distribution System and Transmission Line, Telephone Plant or Parts or Systems or Lines as Provided in the Act, and Declaring an Emergency.

Introduction, first reading, 813.
 Reference, 813.
 Reported back, 871.
 Amended, 871.
 Other action, 1024, 1027.
 Passed, 1026.
 Sent to House, 1032, 1327.
 Returned to Senate, 1242, 1402.
 Signed by President, 1321.
 Sent to Governor, 1647.

Senate Bill No. 327—(Committee on Delayed Bills)

Senate Bill No. 327. A Bill for an Act Providing for the Disposition of One Million Dollars from the State Hail Insurance Permanent Surplus Fund; Declaring That the Said Permanent Surplus Fund Exceeds the Amount Needed to Carry Out the Purpose for Which Said Fund was Created by the Sum of One Million Dollars; Providing the Manner and Means of Disposing and Disbursing Said Surplus, and Declaring an Emergency in Connection Therewith.

Introduction, first reading, 813.
 Reference, 813.
 Reported back, 870.
 Amended, 870.
 Passed, 1017.
 Other action, 1018.
 Sent to House, 1022.
 Returned to Senate (indefinitely postponed), 1586.

Senate Bill No. 328—(Committee on Delayed Bills)

Senate Bill No. 328. A Bill for an Act Authorizing the State Forester to Accept, Acquire or Lease Land for State Forests and State Parks; Providing for the Management and Development Thereof and the Disposition of Income From Such Lands.

Introduction, first reading, 813.
 Reference, 813.
 Reported back, 872.
 Passed, 1013.
 Other action, 1014.
 Sent to House, 1016; 1519.
 Returned to Senate, 1437, 1554.
 Signed by the President, 1513.
 Sent to Governor, 1649.

Senate Bill No. 329—(Committee on Delayed Bills)

Senate Bill No. 329. A Bill for an Act to Provide Revenue to the State by Imposing a Tax Upon the Sale of Electricity and Electric Power Consumed Within This State; Providing for the Manner of Collecting the Tax, and Penalty for Violation of This Act.

Introduction, first reading, 813.
 Reference, 813.
 Reported back, 869.
 Amended, 869.
 Other action, 1021, 1022.
 Passed, 1021.
 Sent to House, 1023.
 Returned to Senate (indefinitely postponed), 1490.

HOUSE BILLS

House Bill No. 3

House Bill No. 3. A Bill for an Act to Amend and Re-enact Section 6072 of the Supplement to the 1913 Compiled Laws of North Dakota.

Received from House, 369, 1491.
First reading, 457.
Reference, 457.
Reported back, 1219.
Passed, 1294.
Returned to House, 1311- 1478.
Signed by President, 1470.

House Bill No. 5

House Bill No. 5. A Bill for an Act Relating to Grain Storage on Farms, Abolishing the Office of Grain Storage Commissioner of North Dakota, and Transferring All Powers and Duties of That Office to the Board of Railroad Commissioners of the State of North Dakota, and Amending and Re-enacting Section 2 of Chapter 138 of the 1929 Session Laws and Repealing Sections 3 and 4 of Chapter 138 of the 1929 Session Laws and all Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Received from House, 368, 1491.
First reading, 457.
Reference, 457.
Reported back, 1221.
Amended, 1221.
Passed, 1298.
Returned to House, 1313, 1479.
Other action, 1359.
Signed by President, 1471.

House Bill No. 7

House Bill No. 7. A Bill for an Act to Provide for the Weighing, Grading, Feeding, Docking and Watering of Live-stock at Packing Plants, Slaughtering Houses and Concentration Points.

Received from House, 368, 1721.
First reading, 457.
Reference, 457, 460, 1067.
Reported back, 833, 1275.
Other action, 835, 836, 1067, 1378, 1389, 1507, 1509, 1521, 1640, 1690, 1691, 1692.
Lost, 1520.
Reconsidered, 1640.
Passed, 1691.
Returned to House, 1693, 1724.
Signed by President, 1723.

House Bill No. 8

House Bill No. 8. A Bill for an Act to Amend and Re-enact Sections 2 and 8 of Chapter 95, Session Laws of 1929: "An Act to Regulate the Practice of Chiropractic, to Create a State Board of Chiropractic, to Provide for the Examination and Licensing of Chiropractors and Providing Penalties for the Violation Thereof."

Received from House, 186, 646.
First reading, 191.
Reference, 192.
Reported back, 334.
Amended, 571.
Other action, 571, 613.
Passed, 571.
Returned to House, 580, 661.
Signed by President, 659.

House Bill No. 9

House Bill No. 9. A Bill for 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.

Received from House, 103, 1156.
First reading, 115.
Reference, 115.
Reported back, 1082.
Passed, 1123.
Returned to House, 1134, 1223.
Signed by President, 1206.

House Bill No. 10

House Bill No. 10. A Bill for an Act Making an Appropriation for the Purpose of Refunding Money Erroneously Paid Into or Credited to the General Fund.

Received from House, 104, 1156.
First reading, 115.
Reference, 115.
Reported back, 1082.
Passed, 1123.
Returned to House, 1134, 1224.
Signed by President, 1206.

House Bill No. 11

House Bill No. 11. 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, 104, 1155.

First reading, 115.
Reference, 115.
Reported back, 1083.
Passed, 1124.
Returned to House, 1134, 1224.
Signed by President, 1206.

House Bill No. 12

House Bill No. 12. 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 1917, the Same Being Section 663a1 of the Supplement to the 1913 Compiled Laws of North Dakota.

Received from House, 104, 1155.
First reading, 115.
Reference, 115.
Reported back, 1083.
Passed, 1125.
Returned to House, 1135.
Signed by President, 1206.

House Bill No. 13

House Bill No. 13. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary and Miscellaneous General Expenses of the Department of Minimum Wage.

Received from House, 118, 1307.
First reading, 127.
Reference, 127.
Reported back, 1140.
Passed, 1195.
Returned to House, 1203, 1323.
Signed by President, 1318.

House Bill No. 14

House Bill No. 14. A Bill for an Act Making an Appropriation for the Glanders and Dourine Indemnity Fund.

Received from House, 104, 1155.
First reading, 115.
Reference, 115.
Reported back, 1083.
Passed, 1125.
Returned to House, 1135, 1224.
Signed by President, 1206.

House Bill No. 15

House Bill No. 15. A Bill for an Act Making an Appropriation for the Care of Feeble Minded Whose Residence Cannot be Determined and Whose Care Must be Borne by the State.

Received from House, 104, 1155.
First reading, 115.

Reference, 115.
Reported back, 1080.
Passed, 1117.
Returned to House, 1133, 1224.
Signed by President, 1206.

House Bill No. 16

House Bill No. 16. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire, Travel and General Expenses of the Office of Veterans' Service Commissioner as Prescribed by Chapter 281, Laws of 1927 and Chapter 74, Laws of 1929.

Received from House, 131, 1155.
First reading, 149.
Reference, 149.
Reported back, 1080.
Passed, 1116.
Returned to House, 1133, 1224.
Signed by President, 1206.

House Bill No. 17

House Bill No. 17. A Bill for an Act Making an Appropriation for the North Dakota Children's Home and Aid Society of Fargo, North Dakota.

Received from House, 104, 1156.
First reading, 115.
Reference, 115.
Reported back, 1081.
Passed, 1121.
Returned to House, 1134, 1223.
Signed by President, 1205.

House Bill No. 18

House Bill No. 18. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Received from House, 104, 1156.
First reading, 115.
Reference, 116.
Reported back, 1081.
Passed, 1120.
Returned to House, 1134, 1223.
Signed by President, 1205.

House Bill No. 19

House Bill No. 19. A Bill for an Act Making an Appropriation for St. John's Orphanage of Fargo, North Dakota.

Received from House, 104, 1156.
First reading, 116.

Reference, 116.
Reported back, 1080.
Passed, 1119.
Returned to House, 1134, 1223.
Signed by President, 1205.

House Bill No. 20

House Bill No. 20. A Bill for an Act Making an Appropriation for Poor and Destitute Persons, Providing the Methods of Expenditure and Audit Thereof; Supervision and Inspection Therefor.

Received from House, 104, 1156.
First reading, 116.
Reference, 116.
Reported back, 1080.
Passed, 1119.
Returned to House, 1133, 1223.
Signed by President, 1206.

House Bill No. 23

House Bill No. 23. A Bill for an Act to Amend and Re-enact Chapter 94 of the Session Laws of North Dakota of the Year 1929, Relating to the Custodian of the State Capitol and Grounds and Describing his Powers, Duties and Compensation; and Appointing Such Custodian.

Received from House, 152, 222, 369.
First reading, 159.
Reference, 159, 220, 271.
Reported back, 198, 249, 293.
Indefinitely postponed, 198, 271.
Returned to House, 215, 326, 382.
Other action, 220, 322, 367.
Amended, 249, 270, 293, 321.
Reconsidered, 271.
Passed, 321.
Signed by President, 380.

House Bill No. 24

House Bill No. 24. A Bill for an Act Making an Appropriation for the Maintenance of the State Capitol and for Improvements, Repairs, Insurance and Upkeep of Grounds.

Received from House, 131, 1491
First reading, 149.
Reference, 149.
Reported back, 1214.
Passed, 1381.
Returned to House, 1393, 1480.
Signed by President, 1472.

House Bill No. 25

House Bill No. 25. A Bill for an Act Making an Appro-

priation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Department of Coal Mine Inspection.

Received from House, 406, 1306.
First reading, 458.
Reference, 458.
Reported back, 1140.
Passed, 1194.
Returned to House, 1203, 1324.
Signed by President, 1318.

House Bill No. 26

House Bill No. 26. A Bill for an Act Making an Appropriation for the Per Diem, Salaries, and General Expenses of the State Livestock Sanitary Board.

Received from House, 152, 1491.
First reading, 159.
Reference, 159.
Reported back, 1215.
Passed, 1383.
Returned to House, 1393, 1482.
Signed by President, 1474.

House Bill No. 27

House Bill No. 27. A Bill for an Act Making an Appropriation for the Purpose of Paying a Bounty on Wolves and Coyotes as Provided for Under Sections 2645 to 2656, Inclusive, of the Supplement to the Compiled Laws of 1913, as Amended by Chapter 283, Session Laws of 1927, and as Amended by Chapter 9, Session Laws of 1933, and Magpie Bounty as Provided for by Sections 2656b1 to 2656b9, Inclusive, of the Supplement to the 1913 Compiled Laws of North Dakota, and Declaring an Emergency.

Received from House, 118, 1674.
First reading, 127.
Reference, 127.
Reported back, 1212.
Amended, 1212, 1584.
Passed, 1380, 1684.
Other action, 1381, 1584, 1683, 1684.
Returned to House, 1423, 1677.
Conference committee, 1447, 1454, 1484, 1485, 1498, 1533, 1535, 1576, 1584, 1586.
Signed by President, 1675.

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 State Historical Society.

Received from House, 259, 1491.
First reading, 268.
Reference, 268.

Reported back, 1216.
 Passed, 1386.
 Returned to House, 1394, 1481.
 Signed by President, 1473.

House Bill No. 30

House Bill No. 30. A Bill for an Act Making an Appropriation for the use by the Board of Administration in Administering Child Welfare Laws.

Received from House, 179, 1523.
 First reading, 185.
 Reference, 185.
 Reported back, 1098.
 Amended, 1099, 1357.
 Passed, 1189.
 Returned to House, 1226, 1542.
 Conference committee, 1262, 1264, 1356, 1446.
 Other action, 1264.
 Signed by President, 1540.

House Bill No. 31

House Bill No. 31. A Bill for an Act Making an Appropriation for the Purpose of Carrying out the Provisions of Chapter 203, Session Laws 1919, and Chapter 115, Session Laws 1921, the Same Being Sections 1471b1 and 1471b9 and 1471c1 to 1471c8 of the Supplement to the 1913 Compiled Laws of North Dakota.

Received from House, 131, 1155.
 First reading, 149.
 Reference, 149.
 Reported back, 1081.
 Passed, 1121.
 Returned to House, 1134, 1224.
 Signed by President, 1206.

House Bill No. 32

House Bill No. 32. 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 Chapters 26 and 152, Session Laws of 1915, the Same Being Sections 283c1 to 283c6, Inclusive, and Section 283c10 of the Supplement to the 1913 Compiled Laws of North Dakota.

Received from House, 406, 1155.
 First reading, 458.
 Reference, 458.
 Reported back, 1082.
 Passed, 1122.
 Returned to House, 1134, 1224.
 Signed by President, 1207.

House Bill No. 33

House Bill No. 33. 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 1923, the Same Being Sections 2790a1-2790a18 of the Supplement to the 1913 Compiled Laws of North Dakota.

Received from House, 208, 1156.
 First reading, 225.
 Reference, 226.
 Reported back, 1077.
 Passed, 1111.
 Returned to House, 1132, 1223.
 Signed by President, 1205.

House Bill No. 35

House Bill No. 35. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Seed Department.

Received from House, 229, 1306.
 First reading, 240.
 Reference, 240.
 Reported back, 1141.
 Passed, 1197.
 Returned to House, 1204, 1323.
 Signed by President, 1318.

House Bill No. 37

House Bill No. 37. A Bill for an Act Making an Appropriation to the Board of Auditors for the Purpose of Carrying out the Provisions of Section 369 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended and Re-enacted by Chapter 226, Laws of 1915, and as Amended and Re-enacted by the Initiated Law Approved November 2, 1920, and as Provided for in Chapter 143, Laws of 1923, the Same Being Sections 369 and 369b of the Supplement to the 1913 Compiled Laws of North Dakota, and as Amended and Re-enacted by Chapter 186, Laws of 1933.

Received from House, 289, 1721.
 First reading, 299.
 Reference, 299.
 Reported back, 1420.
 Amended, 1420, 1568, 1678.
 Passed, 1537, 1568, 1679.
 Other action, 1538, 1568, 1569, 1678, 1679.
 Reconsidered, 1568.
 Returned to House, 1577, 1724.
 Conference committee, 1590, 1639, 1678, 1680, 1688, 1690.
 Signed by President, 1723.

House Bill No. 38

House Bill No. 38. A Bill for an Act Making an Appro-

priation for the North Dakota Soldiers' Home at Lisbon, North Dakota; Providing for Reports and Deductions, and Declaring an Emergency.

Received from House, 164, 1619.
 First reading, 176.
 Reference, 176.
 Reported back, 1141.
 Amended, 1141, 1252, 1469.
 Other action, 1252, 1533, 1534.
 Passed, 1252, 1533.
 Returned to House, 1314, 1638.
 Conference committee, 1359, 1428, 1469, 1492, 1533, 1535.
 Signed by President, 1634.

House Bill No. 39

House Bill No. 39. A Bill for an Act Making an Appropriation for the Purpose of Paying Salary, Clerkhire and General Expenses of the Public Health Laboratories.

Received from House, 179, 1491.
 First reading, 185.
 Reference, 185.
 Reported back, 1216.
 Passed, 1387.
 Returned to House, 1394, 1481.
 Signed by President, 1473.

House Bill No. 40

House Bill No. 40. 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, 195, 1523.
 First reading, 206.
 Reference, 206.
 Reported back, 1212.
 Amended, 1212.
 Passed, 1381.
 Returned to House, 1423, 1542.
 Other action, 1446.
 Signed by President, 1540.

House Bill No. 41

House Bill No. 41. A Bill for an Act Making an Appropriation for the Purpose of Indemnifying Owners of Animals Infected with Bovine Tuberculosis and to Pay Expenses in Connection Therewith.

Received from House, 195, 1491.
 First reading, 206.
 Reference, 206.
 Reported back, 1214.
 Passed, 1382.
 Returned to House, 1393, 1481.
 Signed by President, 1473.

House Bill No. 42

House Bill No. 42. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the State Highway Department.

Received from House, 563, 1491, 1510, 1674.
First reading, 570.
Reference, 570.
Reported back, 1215.
Passed, 1384.
Returned to House, 1394, 1480, 1547.
Signed by President, 1473.
Recalled from House, 1501.
Reconsidered, 1528.
Other action, 1528, 1569, 1601, 1602.
Amended, 1528, 1601.
Passed, 1528, 1602.
Conference committee, 1586, 1587, 1588, 1593, 1594, 1601.

House Bill No. 43

House Bill No. 43. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Game and Fish Department.

Received from House, 518, 1491.
First reading, 569.
Reference, 569.
Reported back, 1215.
Passed, 1383.
Returned to House, 1393, 1482.
Signed by President, 1474.

House Bill No. 44

House Bill No. 44. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expenses of the Maintenance and Operation of the Workmen's Compensation Bureau.

Received from House, 645, 1491.
First reading, 1044.
Reference, 1044.
Reported back, 1140.
Amended, 1140, 1357.
Other action, 1196, 1264, 1358, 1415, 1416.
Passed, 1196, 1415.
Returned to House, 1226, 1482.
Conference committee, 1262, 1264, 1357, 1414, 1423.
Signed by President, 1474.

House Bill No. 45

House Bill No. 45. A Bill for an Act Specifying the Amount to Be Allowed for Personal Sustenance of Officers, Agents,

and Employees, Exempting the Governor, of the State of North Dakota, or of any of its Sub-divisions, While Upon Public Expense Account; Providing a Penalty for Violation Thereof, and Declaring an Emergency.

Received from House, 187, 374.
 First reading, 192.
 Reference, 192.
 Reported back, 294.
 Amended, 294.
 Passed, 322.
 Returned to House, 325, 382.
 Signed by President, 380.

House Bill No. 46

House Bill No. 46. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 98, Session Laws of 1933, Relating to Expenditures of Poor Relief Purposes Where the Regular Appropriation is Insufficient and Where There Is Not a Sufficient Unexpended Balance in Any Funds to Meet an Emergency Created by Unusual and Unanticipated Demands for the Relief of the Poor, and Declaring an Emergency.

Received from House, 259, 369.
 First reading, 268.
 Reference, 269.
 Reported back, 292.
 Passed, 320.
 Returned to House, 325, 382.
 Signed by President, 381.

House Bill No. 48

House Bill No. 48. A Bill for an Act Providing for the Payment and Cancellation of Personal Property Taxes Assessed and Levied for the Year 1933, and All Prior Years; Fixing the Amount to Be Paid and Providing for Cancellation of Interest and Penalties and Partial Cancellation of the Original Amount of Such Taxes.

Received from House, 756, 1674.
 First reading, 1045.
 Reference, 1045.
 Reported back, 1342.
 Amended, 1342, 1521, 1607.
 Lost, 1409.
 Reconsidered, 1461, 1608.
 Other action, 1461, 1482, 1521, 1522, 1607, 1608, 1609, 1610.
 Passed, 1521, 1609.
 Returned to House, 1546, 1677.
 Conference committee, 1569, 1587, 1602, 1603, 1607, 1610.
 Lost, 1608.
 Signed by President, 1675.

House Bill No. 54

House Bill No. 54. A Bill for an Act Making an Appro-

priation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items of the State Normal School, Minot, North Dakota.

Received from House, 761, 1523.
 First reading, 1045.
 Reference, 1045.
 Reported back, 1272.
 Amended, 1272.
 Passed, 1371.
 Returned to House, 1423, 1542.
 Conference committee, 1447, 1454, 1468, 1485, 1492.
 Signed by President, 1542.

House Bill No. 55

House Bill No. 55. 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.

Received from House, 758, 1491.
 First reading, 1045.
 Reference, 1045.
 Reported back, 1275.
 Passed, 1377.
 Returned to House, 1393, 1482.
 Signed by President, 1474.

House Bill No. 56

House Bill No. 56. 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.

Received from House, 758, 1523.
 First reading, 1045.
 Reference, 1045.
 Reported back, 1274.
 Amended, 1274, 1499.
 Passed, 1376, 1499.
 Returned to House, 1422, 1542.
 Conference committee, 1446, 1450, 1454, 1492, 1493, 1498, 1501.
 Other action, 1499, 1500.
 Signed by President, 1542.

House Bill No. 57

House Bill No. 57. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repair and Equipment of the State School of Science at Wahpeton, North Dakota.

Received from House, 760, 1491.
 First reading, 1046.
 Reference, 1046.

Reported back, 1274.
Passed, 1375.
Returned to House, 1393, 1480.
Signed by President, 1473.

House Bill No. 58

House Bill No. 58. A Bill for an Act Making an Appropriation for the General Maintenance, Improvements and Repairs, Equipment and Miscellaneous Items for the Grafton State School at Grafton, North Dakota.

Received from House, 303, 1619.
First reading, 319.
Reference, 320.
Reported back, 1273.
Amended, 1273, 1456, 1560.
Other action, 1375, 1389, 1456, 1457, 1560, 1561.
Passed, 1457, 1560.
Returned to House, 1462, 1638.
Conference committee, 1498, 1533, 1535, 1560, 1565, 1567.
Signed by President, 1634.

House Bill No. 59

House Bill No. 59. 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, North Dakota.

Received from House, 761, 1491.
First reading, 1046.
Reference, 1046.
Reported back, 1272.
Passed, 1372.
Returned to House, 1393, 1481.
Signed by President, 1474.

House Bill No. 60

House Bill No. 60. 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.

Received from House, 563, 1523.
First reading, 570.
Reference, 570.
Reported back, 1099.
Amended, 1099, 1468.
Passed, 1190, 1534.
Returned to House, 1226, 1542.
Conference committee, 1263, 1268, 1271, 1354, 1355, 1362,
1447, 1468, 1492, 1534, 1535.
Other action, 1534.
Signed by President, 1542.

House Bill No. 61

House Bill No. 61. 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.

Received from House, 758, 1398.
First reading, 1046.
Reference, 1046.
Reported back, 1142.
Amended, 1142.
Passed, 1198, 1280.
Returned to House, 1227, 1442.
Conference Committee, 1263, 1268, 1271, 1282, 1304.
Signed by President, 1438.

House Bill No. 62

House Bill No. 62. 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, North Dakota.

Received from House, 274, 1491.
First reading, 286.
Reference, 286.
Reported back, 1275.
Passed, 1378.
Returned to House, 1393, 1482.
Signed by President, 1474.

House Bill No. 64

House Bill No. 64. A Bill for an Act to Amend and Re-enact Section 35 of Chapter 148 of the 1931 Session Laws, Relating to the Bag and Possession Limits on Protected Game Birds and Prescribing a Penalty for the Violation of the Provisions Hereof.

Received from House, 243, 1306, 1491.
First reading, 254.
Reference, 255, 576.
Reported back, 524, 836.
Amended, 575, 1066, 1229.
Other action, 1066, 1230.
Passed, 1067, 1230.
Returned to House, 1101, 1230, 1323, 1480.
Conference committee, 1173, 1186, 1187, 1229, 1230, 1239.
Signed by President, 1318, 1473.

House Bill No. 67.

House Bill No. 67. A Bill for an Act Making an Appropriation to Provide for the Payment of a Deficit in the Clerk-hire, Postage and Travel Expense of the Office of Department of Agriculture and Labor, and Declaring an Emergency.

Received from House, 406, 1491.
First reading, 458.
Reference, 458.
Reported back, 1172.
Amended, 1173.
Passed, 1279.
Returned to House, 1315, 1479.
Other action, 1359.
Signed by President, 1471.

House Bill No. 68

House Bill No. 68. A Bill for an Act Relating to the Bonds to Be Furnished by County Judges, Clerk of District Court and/or Register of Deeds Filing Offices as Consolidated Pursuant to the Provisions of Chapter 84, Laws of 1933, and Declaring an Emergency.

Received from House, 195, 300.
First reading, 206.
Reference, 206.
Reported back, 247.
Amended, 247.
Passed, 269.
Other action, 288.
Returned to House, 279, 301.
Signed by President, 300.

House Bill No. 69

House Bill No. 69. A Bill for an Act Making an Appropriation to Make Up the Deficit in the Fund Known as "The Insurance Tax to Fire Departments" 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 of 1913.

Received from House, 303, 1491.
First reading, 320.
Reference, 320.
Reported back, 1216.
Passed, 1386.
Returned to House, 1394, 1482.
Signed by President, 1474.

House Bill No. 70

House Bill No. 70. A Bill for an Act Making an Appropriation to Pay the Deficit in the Printing Fund of the Department of Insurance of the State of North Dakota.

Received from House, 289, 1491.
First reading, 300.
Reference, 300, 364.
Reported back, 364, 1217.
Passed, 1388.
Returned to House, 1394, 1482.
Signed by President, 1474.

House Bill No. 72

House Bill No. 72. A Bill Providing for the Investment of Trust Funds of Executors, Administrators and Guardians and Procedure Required; Repealing All Acts or Parts of Acts in Conflict Herewith; and Declaring an Emergency.

Received from House, 274, 1523.
First reading, 286.
Reference, 286.
Reported back, 714.
Amended, 714, 1360.
Passed, 1057, 1361.
Returned to House, 1101, 1542.
Conference committee, 1173, 1187, 1357, 1360, 1363.
Other action, 1360.
Signed by President, 1541.

House Bill No. 76

House Bill No. 76. A Bill for an Act to Amend and Re-enact Chapter 264 of the Session Laws of 1933, Being an Act to Suspend the Operation of Section 2202 of the Compiled Laws of the State of North Dakota for the Year 1913, as Amended by Chapter 199 of the Session Laws of 1925, (Section 2202 of the 1925 Supplement to the Compiled Laws of 1913) and as Amended by Chapter 266 of the Session Laws of 1927, Relating to Tax Deeds to Be Issued to the County Upon the Expiration of the Period of Redemption, Upon Due Notice; Tax Deeds to the County and Sale of Property So Acquired Until December 31st, 1935, Further Extend the Time of Suspension to December 31st, 1937; and Suspending the Operation of All Acts or Parts of Acts in Conflict Herewith and Declare an Emergency.

Received from House, 244, 1523.
First reading, 254.
Reference, 254.
Reported back, 1341.
Amended, 1342.
Passed, 1408.
Returned to House, 1427, 1542.
Other action, 1447.
Signed by the President, 1540.

House Bill No. 78

House Bill No. 78. A Bill for an Act to Amend and Re-enact Section 7375, Compiled Laws of North Dakota for the Year 1913, Enumerating the Kinds of Actions Which Must Be Commenced Within Six Years After the Cause of Action Accrues.

Received from House, 208, 369.
First reading, 226.
Reference, 226.
Reported back, 293.
Amended, 293.

Passed, 321.
Returned to House, 326, 382.
Other action, 368.
Signed by President, 380.

House Bill No. 79

House Bill No. 79. A Bill for an Act to Provide for Fraud or Fraudulent Concealment of Facts Constituting a Cause of Action, to Postpone or Toll the Running of the Statute of Limitations.

Received from House, 208, 1397.
First reading, 226.
Reference, 226.
Reported back, 1097.
Amended, 1097, 1098.
Passed, 1187.
Returned to House, 1227, 1442.
Signed by President, 1438.

House Bill No. 80

House Bill No. 80. A Bill for an Act to Amend and Re-enact Section 10 of Chapter 199, Session Laws of 1933, Relating to Additional Duties of the North Dakota Regulatory Department With Reference to Investigations and Inspections for the State Auditor, and Declaring an Emergency.

Received from House, 259, 691.
Reference, 269.
Reported back, 372.
Amended, 372.
Passed, 551.
Returned to House, 553, 725.
Conference committee, 566, 567, 661, 662.
Signed by President, 717.

House Bill No. 81

House Bill No. 81. A Bill for an Act Making an Emergency Appropriation to Provide for the Payment of the Salaries of Assistant Dairy Commissioners, Official Tester Clerkhire, Office Supplies, Printing, Postage, Travel Expenses, Auto Exchange and Miscellaneous Expenses for the Office of Dairy Commissioner, and Declaring an Emergency.

Received from House, 406, 1398.
First reading, 458.
Reference, 458.
Reported back, 1139.
Amended, 1139.
Passed, 1193.
Returned to House, 1227, 1442.
Other action, 1303.
Signed by President, 1438.

House Bill No. 83

House Bill No. 83. A Bill for an Act Making an Appropriation for the Purchase of Certain Lots Within the Plat of Capitol Park Adjoining the Capitol Buildings in the City of Bismarck, North Dakota, and Providing for Method of Disbursements Thereof.

Received from House, 406, 1154.
First reading, 458.
Reference, 458.
Reported back, 1077.
Passed, 1112.
Returned to House, 1132, 1224.
Signed by President, 1207.

House Bill No. 84

House Bill No. 84. A Bill for an Act Making an Appropriation for the Payment of Rent Due for Offices Occupied by State Officers and for Which no Prior Appropriation was Made Available, and Declaring an Emergency.

Received from House, 406, 1154.
First reading, 458.
Reference, 458.
Reported back, 1078.
Passed, 1113.
Returned to House, 1133, 1225.
Signed by President, 1208.

House Bill No. 86

House Bill No. 86. A Bill for an Act Providing for the Organization of Credit Unions, the Incorporation Thereof, the Internal Regulation and Management of Same, Defining Their Powers and Duties, Fixing the Number of Officers and Committees, Defining Their Powers, Tenure, Compensation and Duties, Providing for the Adoption and Amendment of By-Laws, Prohibiting the Use of the Term "Credit Unions" by Other Persons, Firms, Associations or Corporations, Defining Membership Therein, Regulating the Rights of Borrowers, Interest on Loans, Capital, Reserves, Loans, Security, Dividends, Fines, Expulsion and Withdrawal of Members, Dissolution, Change of Place of Business, Taxation of Property, Providing for Reports and Examinations, and Placing the Same Under the Supervision of the State Banking Board.

Received from House, 759, 1523.
First reading, 1046.
Reference, 1047.
Reported back, 1339.
Passed, 1395.
Returned to House, 1424, 1542.
Signed by President, 1541.

House Bill No. 87

House Bill No. 87. A Bill for an Act to Amend and Re-enact Chapter 264 of the Session Laws of the State of North Dakota for the Year 1931, Providing for the Appointment of a Superintendent, of State Hospital for the Insane, Assistant Medical Superintendents, and Assistant Chiropractic Superintendents, Salaries of Superintendents and Providing Method of Handling Patients, and Provision for Preference as to Type of Treatment by Nearest Relative or General Personal Guardian, and Declaring an Emergency.

Received from House, 407.
 First reading, 458.
 Reference, 459.
 Reported back, 1344.
 Other action, 1345, 1346.
 Indefinitely postponed, 1346.
 Returned to House, 1514.

House Bill No. 92

House Bill No. 92. A Bill for an Act to Amend and Re-enact Section 1176 of the Compiled Laws of 1913, Relating to Furniture, Maps, Register and School Library to be Furnished.

Received from House, 259.
 First reading, 269.
 Reference, 269.
 Reported back, 1098.
 Other action, 1189.
 Amended, 1192.
 Indefinitely postponed, 1192.
 Returned to House, 1205.

House Bill No. 93

House Bill No. 93. A Bill for an Act to Amend and Re-enact Section 6756 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Form of Chattel Mortgages.

Received from House, 369, 1523.
 First reading, 457.
 Reference, 457.
 Reported back, 837.
 Amended, 837, 1071, 1074, 1554.
 Other action, 838, 1071, 1072, 1074, 1075, 1554, 1555.
 Lost on second reading, 1072.
 Reconsidered, 1074.
 Passed, 1074, 1554.
 Returned to House, 1102, 1556, 1597.
 Conference committee, 1173, 1187, 1305, 1554, 1555.
 Recalled from House, 1461, 1509.
 Signed by President, 1596.

House Bill No. 95

House Bill No. 95. A Bill for an Act Legalizing and

Validating All Publications and Posting of Tax Sale Notices and Tax Sale Certificates Based Thereon Which Notices Have Been Posted or Published Prior to January 1st, 1935.

Received from House, 760, 1523.
First reading, 1050.
Reference, 1050.
Reported back, 1339.
Passed, 1391.
Returned to House, 1424, 1542.
Signed by President, 1542.

House Bill No. 96

House Bill No. 96. A Bill for an Act to Make It Lawful to Make Devises, Bequests, Legacies and Gifts to Any State Educational, Charitable, or Penal Institution; Providing that Title Thereto Shall Be Held by the State in Trust, and Regulating the Use of Such Property and Its Income; Validating Devises, Bequests, Legacies and Gifts Heretofore Made, and Declaring an Emergency.

Received from House, 274, 646.
First reading, 286.
Reference, 286.
Reported back, 365.
Passed, 574.
Returned to House, 580, 661.
Signed by President, 659.

House Bill No. 97

House Bill No. 97. A Bill for an Act to Amend and Re-enact Chapter 19 of the Political Code of the Compiled Laws of North Dakota for the Year 1913, Relating to the North Dakota Firemen's Association and Providing an Appropriation for the Use of Such Association in Promoting Regional Fire Schools, and Other Activities of Such Association.

Received from House, 442, 1307.
First reading, 459.
Reference, 460.
Reported back, 1103.
Passed, 1191.
Returned to House, 1203, 1323.
Signed by President, 1318.

House Bill No. 100

House Bill No. 100. A Bill for an Act Amending and Re-enacting Section 6077 of the 1913 Compiled Laws of the State of North Dakota Relating to the Rate of Interest on Judgments.

Received from House, 368, 1491.
First reading, 457.
Reference, 458.
Reported back, 1219.

Passed, 1293.
Returned to House, 1311, 1478.
Signed by President, 1470.

House Bill No. 106

House Bill No. 106. A Bill for An Act Providing and Permitting the Purchase of Gasoline to be Used Solely for Agricultural Purposes Without Payment of Gasoline Tax on Purchase Thereof; Licensing Purchasers and Sellers Thereof; Providing Penalty; Repeal.

Returned from House, 916.
First reading, 1043.
Reference, 1043.
Reported back, 1329.
Indefinitely postponed, 1329.
Returned to the House, 1513.

House Bill No. 107

House Bill No. 107. A Bill for an Act to Amend and Re-enact Section 6073 of the Supplement to the 1913 Compiled Laws of North Dakota, as Amended by Chapter 140, Session Laws 1933, Defining Usury.

Received from House, 583, 1674.
First reading, 1047.
Reference, 1047.
Reported back, 1235.
Amended, 1235, 1603.
Passed, 1365, 1604.
Returned to House, 1422, 1677.
Conference committee, 1446, 1454, 1464, 1488, 1492, 1548,
1555, 1576, 1588, 1594, 1602, 1603.
Other action, 1603.
Signed by President, 1675.

House Bill No. 111

House Bill No. 111. A Bill for an Act Entitled an Act to Empower the Governing Boards of Municipalities to Compromise and Fund Judgment Liabilities; to Issue Bonds in Satisfaction of Judgments Reduced in Amount by Compromise and Provide for the Form, Execution, Registration and Payment of the Same; and to Invest Municipalities with an Interest in Uncollected Special Assessments in Certain Cases.

Received from House, 406, 1398.
First reading, 459.
Reference, 459.
Reported back, 1146.
Passed, 1254.
Returned to House, 1283, 1442.
Signed by President, 1439.

House Bill No. 112

House Bill No. 112. A Bill for an Act Regulating the Purchase, Use, Administering and Handling of Hog Cholera Virus, and Providing Penalties Therefor.

Received from House, 645, 1619.
First reading, 1047.
Reference, 1047.
Reported back, 1419.
Other action, 1419, 1535, 1536, 1569.
Amended, 1535.
Passed, 1535.
Returned to House, 1547, 1638.
Signed by President, 1634.

House Bill No. 115

House Bill No. 115. A Bill for an Act to Repeal All of Article 7a of Chapter 43 of the Political Code as Found in the 1925 Supplement to the 1913 Compiled Laws With all Amendments Thereof, Relating to State Transportation Officer: Repeal.

Received from House, 303.
First reading, 320.
Reference, 320.
Reported back, 1091.
Indefinitely postponed, 1091.
Returned to House, 1132.

House Bill No. 116

House Bill No. 116. A Bill for an Act to Amend and Re-enact Section 9807 of the Compiled Laws of North Dakota, 1913; Defining Riot.

Received from House, 289, 1491.
First reading, 300.
Reference, 300.
Reported back, 1146.
Lost, 1253.
Reconsidered, 1297.
Other action, 1297, 1298.
Passed, 1297.
Returned to House, 1311, 1478.
Signed by President, 1470.

House Bill No. 122

House Bill No. 122. A Bill for an Act to Provide for Pensions for the Blind, Creating a Pension Fund, Therefor, Providing for the Levy of an Annual Tax, Prescribing Persons to Be Pensioned.

Received from House, 442, 1614.
First reading, 567.
Reference, 567.

Reported back, 1341.
 Amended, 1341.
 Other action, 1407, 1525, 1569.
 Passed, 1524.
 Returned to House, 1546, 1638.
 Received from House, 1590.
 Reconsidered, 1616.
 Indefinitely postponed, 1616.

House Bill No. 123

House Bill No. 123. A Bill for an Act to Amend and Re-enact Section 975 of the 1913 Compiled Laws of the State of North Dakota, Relating to the Publication of Nominations for Office and Fixing Duty of County Auditor With Reference Thereto and Providing for the Number of Publications Thereof.

Received from House, 328, 646.
 First reading, 341.
 Reference, 341.
 Reported back, 362.
 Passed, 574.
 Returned to House, 580, 660.
 Signed by President, 659.

House Bill No. 124

House Bill No. 124. A Bill for an Act to Amend and Re-enact Section 9023 of the 1913 Compiled Laws of the State of North Dakota Relating to the Time for Defendant's Appearance in Justice Court.

Received from House, 328.
 First reading, 341.
 Reference, 341.
 Reported back, 715.
 Indefinitely postponed, 716.
 Returned to House, 1065.

House Bill No. 126

House Bill No. 126. A Bill for an Act to Amend and Re-enact Section 7730 of the Compiled Laws of North Dakota for 1913, Defining Absolute Exemptions.

Received from House, 369, 1126.
 First reading, 457.
 Reference, 457.
 Reported back, 715.
 Passed, 1058.
 Returned to House, 1066, 1135.
 Signed by President, 1131.

House Bill No. 129

House Bill No. 129. A Bill for an Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled

Laws of North Dakota as Amended by Chapter 134 of the 1927 Session Laws Relating to the Return and Disposition of Election Ballots and Compensation of Election Officers.

Received from House, 328, 1154.
 First reading, 341.
 Reference, 341.
 Reported back, 652.
 Other action, 1057.
 Passed, 1070.
 Returned to House, 1102, 1225.
 Signed by President, 1208.

House Bill No. 130

House Bill No. 130. A Bill for an Act Making an Appropriation for the Purpose of Defraying the Expense of Mileage, Per Diem and Other Incidental Expenses in Connection With the Special Session of the Legislature Convened on July 19, 1934.

Received from House, 563, 1721.
 First reading, 571.
 Reference, 571.
 Reported back, 1420.
 Other action, 1421, 1450, 1451, 1452, 1488, 1503, 1504, 1505, 1626, 1687.
 Amended, 1502, 1624, 1625.
 Lost, 1505.
 Reconsidered, 1624.
 Passed, 1626.
 Signed by President, 1723.
 Returned to House, 1724.

House Bill No. 131

House Bill No. 131. A Bill for an Act to Amend and Re-enact Section 1, Chapter 159, Session Laws for 1931, as Amended and Re-enacted by Chapter 130, Session Laws for the Year 1933, Defining Imitation Ice Cream, Providing Penalty for Violation Thereof and Declaring an Emergency.

Received from House, 328, 646.
 First reading, 341.
 Reference, 341.
 Reported back, 361.
 Amended, 573.
 Other action, 573, 613.
 Passed, 573.
 Returned to House, 580, 660.
 Signed by President, 658.

House Bill No. 132

House Bill No. 132. A Bill for an Act Making a Special Appropriation to Cover Deficits in the Clerk Hire, Printing, Postage and Office Supplies Funds for the Maintenance and Operation of the Workmen's Compensation Bureau.

Received from House, 327, 1305.
First reading, 341.
Reference, 341.
Reported back, 1139.
Passed, 1194.
Returned to House, 1203, 1322.
Signed by President, 1316.

House Bill No. 133

House Bill No. 133. A Bill for an Act Authorizing Judges of the District Court to Request the Attorney General to Perform Certain Duties Relating to Criminal Matters, Providing for Payment of Expenses in Connection Therewith, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from House, 369, 1398.
First reading, 457.
Reference, 457
Reported back, 1145.
Amended, 1146.
Passed, 1202.
Returned to House, 1227, 1443.
Other action, 1303.
Signed by President, 1439.

House Bill No. 134

House Bill No. 134. A Bill for an Act Amending Section 160 of the 1925 Supplement to the Compiled Laws of North Dakota, Relating to the Appointment of Assistant and Special Assistant Attorneys General, Providing for Their Compensation and Duties, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from House, 328.
First reading, 341.
Reference, 341.
Reported back, 1145.
Indefinitely postponed, 1145.
Returned to House, 1204.

House Bill No. 135

House Bill No. 135. A Bill for an Act to Amend and Re-enact Section 1828 of the Compiled Laws of 1913 and Chapter 78 of the Laws of the State of North Dakota for the Year 1915, and Section 1828 of the 1925 Compiled Laws of North Dakota, and Chapter 241 of the Laws of the State of North Dakota for the Year 1933, Relating to the Use of Lignite Coal in State and County Institutions and Schools, and to Provide for the Use of Native Lignite Coal, Native Natural Gas, and Native Oil as Fuel in Such Institutions and Schools, and Providing a Penalty for the Violation of This Act.

Received from House, 442.
First reading, 568.

Reference, 568.
Reported back, 1330.
Indefinitely postponed, 1330.
Other action, 1330, 1484, 1539, 1556, 1621.
Reconsidered, 1483.
Lost, 1620.
Returned to House, 1638.

House Bill No. 136

House Bill No. 136. A Bill for an Act Authorizing the Board of Administration to Construct a Sewerage System to Extend from the Present Sewerage System of the State Training School to Connect with the Syndicate Sewer of the City of Mandan; Making an Appropriation Therefor; and Declaring an Emergency.

Received from House, 518, 1154.
First reading, 569.
Reference, 569.
Reported back, 1078.
Passed, 1113.
Other action, 1114.
Returned to House, 1133, 1225.
Signed by President, 1207.

House Bill No. 139

House Bill No. 139. A Bill for an Act to Amend and Re-enact Sections 2003a1 and 2003a2 of the 1925 Supplement to the 1913 Compiled Laws Relating to the Cutting of Noxious Weeds on Highways.

Received from House, 481, 1154.
First reading, 568.
Reference, 568.
Reported back, 838.
Passed, 1072.
Returned to House, 1102, 1225.
Signed by President, 1207.

House Bill No. 140

House Bill No. 140. A Bill for an Act Providing for the Regulation of Aeronautics Within this State; Providing for Uniformity with Federal Laws Regulating Aeronautics; Creating a State Aeronautics Commission; Providing the Powers and Duties of Such Commission; Providing for the Promulgation and Issuance of Rules and Regulations by Such Commission.

Received from House, 368.
First reading, 457.
Reference, 457.
Reported back, 605.
Indefinitely postponed, 606.
Returned to House, 633.

House Bill No. 143

House Bill No. 143. A Bill for an Act to Amend and Re-enact Section 3803 Compiled Laws of North Dakota for 1913 Relating to Vacancies in the Offices in Cities Under the Commission Form of Government.

Received from House, 517, 1154.
First reading, 568.
Reference, 569.
Reported back, 1079.
Passed, 1116.
Returned to House, 1133, 1225.
Signed by President, 1208.

House Bill No. 145

House Bill No. 145. A Bill for an Act to Amend and Re-enact Section 3684a10 of the Supplement to the Compiled Laws of North Dakota for 1913 Relating to the City Budget Law.

Received from House, 562, 1154.
Reference, 569.
Reference, 570.
Reported back, 1079.
Passed, 1118.
Returned to House, 1133, 1225.
Signed by President, 1207.

House Bill No. 146

House Bill No. 146. A Bill for an Act Providing for the Revision and Passage of Village Ordinances.

Received from House, 407.
First reading, 459.
Reference, 459.
Reported back, 1079.
Lost, 1115.
Returned to House, 1132.

House Bill No. 148

House Bill No. 148. A Bill for an Act to Amend and Re-enact Section 1009 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Abstract of Vote; Canvass of Vote; Certificate of Election; Tie How Decided; Publication of Abstract; and Providing for Compensation.

Received from House, 517, 1154.
First reading, 569.
Reference, 569.
Reported back, 652.
Other action, 1057, 1069.
Passed, 1069.
Returned to House, 1102, 1225.
Signed by President, 1207.

House Bill No. 154

House Bill No. 154. A Bill for an Act Requiring Deduction of Delinquent Personal Property Taxes From Salaries or Other Compensation of Elective and Appointive Officers, Agents and Employees of the State of North Dakota, All Bureaus, Boards, Commissions and Departments, and All Persons receiving Public Funds.

Received from House, 517, 1398.
First reading, 569.
Reference, 569.
Reported back, 1095.
Amended, 1095.
Passed, 1181.
Returned to House, 1227, 1443.
Other action, 1303.
Signed by President, 1439.

House Bill No. 156

House Bill No. 156. A Bill for an Act Levying a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for the Years 1935 and 1936 for the Purpose of Paying the Interest and Creating a Sinking Fund for the Payment of the Principal of the North Dakota Real Estate Bonds Now Outstanding.

Received from House, 442, 1491.
First reading, 459.
Reference, 459.
Reported back, 1096.
Amended, 1096.
Passed, 1182.
Returned to House, 1227, 1478.
Other action, 1304.
Signed by President, 1470.

House Bill No. 158

House Bill No. 158. A Bill for an Act to Amend Section 2817 of the Compiled Laws of North Dakota for the Year 1913 Relating to Noxious Weeds, the Definition of Noxious Weeds and the Manner of Destroying the Same.

Received from House, 517, 1184.
First reading, 568.
Reference, 568.
Reported back, 749.
Other action, 750, 1059, 1160.
Amended, 1058.
Passed, 1059.
Returned to House, 1102, 1226.
Signed by President, 1208.

House Bill No. 161

House Bill No. 161. A Bill for an Act to Amend and Re-enact Section 2079b13, Supplement to the 1913 Compiled

Laws, as Amended by Chapter 247 of the Session Laws of 1933, and Declaring an Emergency.

Received from House, 518, 1305.
First reading, 569.
Reference, 569.
Reported back, 1097.
Passed, 1185.
Returned to House, 1203, 1322.
Signed by President, 1316.

House Bill No. 163

House Bill No. 163. A Bill for an Act to Amend and Re-enact Section 29 of Chapter 160 of the 1933 Session Laws, Relating to Registration of Motor Vehicles.

Received from House, 443.
First reading, 568.
Reference, 568.
Reported back, 1088.
Indefinitely postponed, 1088.
Returned to House, 1132.

House Bill No. 164

House Bill No. 164. A Bill for an Act Creating Official Board to Be Known as "North Dakota Poultry Improvement Board" for the Purpose of Improving Poultry Breeding, Control and Eradication of Communicable Poultry Diseases, Authorizing Board to Formulate Plans, to Prescribe, Adopt and Enforce Rules and Regulations for Inspection, Testing and Certifying Poultry Hatcheries and Poultry Breeding Flocks for Breed Improvement in Accordance With Federal Regulations, Authorizing State Livestock Sanitary Board to Prescribe, Adopt and Enforce Rules and Regulations Testing, Approving, and Passing, as Free From Certain Diseases, Poultry Breeding Flocks, Prescribing License Fees and Fees for Service, Providing for Funds to Administer and Enforce This Act, and Fixing Penalties for Violations.

Received from House, 874.
First reading, 1040.
Reference, 1040.
Reported back, 1417.
Other action, 1418, 1526, 1527, 1605, 1606.
Amended, 1526.
Lost, 1526.
Returned to House, 1543.
Reconsidered, 1605.
Passed, 1605.

House Bill No. 165

House Bill No. 165. A Bill for an Act to Amend and Re-enact Sections 189c1, 189c2, 189c3, 189c5, 189c6, 189c7, 189c8, 189c9, 189c13, 189c14 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota as Amend-

ed and Re-enacted by Chapters 173 and 174 of the 1929 Session Laws and Chapters 162, 163, and 164 of the 1931 Session Laws, and Chapter 135 of the 1933 Session Laws, and Sections 189c4 and 189c11 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Fire and Tornado Insurance on Public Buildings and Fixing Rates of Premiums to Be Charged, and Providing for Deposit on Investments of State Fire and Tornado Fund; Repealing All Acts and Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Received from House, 562, 1721.
First reading, 570.
Reference, 570.
Reported back, 1346.
Other action, 1347, 1456, 1591, 1592, 1640.
Amended, 1591.
Passed, 1592.
Returned to House, 1593, 1724.
Signed by President, 1723.

House Bill No. 167

House Bill No. 167. A Bill for an Act Amending and Re-enacting Section 3 of Chapter 111 of the 1933 Session Laws Known as the "Flour Label Act."

Received from House, 443, 1218.
First reading, 567.
Reference, 567.
Reported back, 1089.
Passed, 1129.
Returned to House, 1180, 1251.
Signed by President, 1246.

House Bill No. 168

House Bill No. 168. A Bill for an Act to Require the Appraising of the Use of Butter Substitutes on Popcorn Sold or Offered for Sale and Providing Penalties for Violation.

Received from House, 407, 1305.
First reading, 459.
Reference, 459.
Reported back, 1087.
Other action, 1128.
Passed, 1128.
Returned to House, 1180, 1322.
Signed by President, 1317.

House Bill No. 169

House Bill No. 169. A Bill for an Act to Amend and Re-enact Chapter 120, Session Laws of the State of North Dakota for 1933, Relating to the Disposition of Money Collected by the Game and Fish Commission; Providing for

the Conservation of Water, and the Construction of Dams
Within the State, and Declaring an Emergency.

Received from House, 562, 1156.
First reading, 570.
Reference, 570.
Reported back, 838.
Amended, 1073.
Other action, 1073, 1160.
Passed, 1073.
Returned to House, 1101, 1223.
Signed by President, 1205.

House Bill No. 170

House Bill No. 170. A Bill for an Act to Amend and Re-enact Section 6625 of the Compiled Laws of 1913, With Regard to a Standard Fire Insurance Policy.

Received from House, 563, 1491.
First reading, 571.
Reference, 571.
Reported back, 1222.
Amended, 1222.
Passed, 1300.
Returned to House, 1312, 1478.
Other action, 1359.
Signed by President, 1471.

House Bill No. 172

House Bill No. 172. A Bill for an Act Providing for the Establishment of Voting Precincts in Special School Districts; Requiring Establishment of Polling Places for Each 5000 Inhabitants; Providing for Appointment of Election Officials, Fixing Their Powers, Duties and Compensation and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from House, 873, 1523.
First reading, 1039.
Reference, 1039.
Reported back, 1329.
Passed, 1390.
Returned to House, 1424, 1542.
Signed by President, 1540.

House Bill No. 174

House Bill No. 174. A Bill for an Act to Amend and Re-enact Sections 9, 11 and 36 of Chapter 179 of the Session Laws of North Dakota for the Year 1927 as Amended by Sections 4, 5 and 12 of Chapter 160 of the Session Laws of North Dakota of 1933; Having to Do With the Applications for Registration of Motor Vehicles, Duties of Registrar, Registration Cards and Certificate of Application for License Made.

Received from House, 442, 1305.

First reading, 459.
Reference, 459.
Reported back, 1090.
Passed, 1158.
Returned to House, 1180, 1322.
Signed by President, 1317.

House Bill No. 176

House Bill No. 176. A Bill for an Act Authorizing the Board of County Commissioners to Provide Room or Rooms in the Courthouse for the Exclusive Use of ex-Service Men Who Served in Any War in Which the United States Has Been Engaged.

Received from House, 760, 1491.
First reading, 1047.
Reference, 1047.
Reported back, 1174.
Passed, 1285.
Returned to House, 1311, 1478.
Signed by President, 1471.

House Bill No. 177

House Bill No. 177. A Bill for an Act to Amend and Re-enact Chapter 236 of the 1933 Session Laws Relating to Common School District Transportation; Leaving Same to the Discretion of the School Board; Limiting the Amount That May Be Paid for Same and Repealing Chapter 244 of the Session Laws of the State of North Dakota for the Year 1931; Prohibiting Discrimination as Between Families.

Received from House, 517.
First reading, 568.
Reference, 568.
Reported back, 1217.
Indefinitely postponed, 1217.
Returned to House, 1425.

House Bill No. 179

House Bill No. 179. A Bill for an Act to Amend and Re-enact Section 1 of Chapter 235 of the 1933 Session Laws Prescribing and Limiting the Time to Which Basic Text Books May Be Changed in the Schools and Educational Institutions in This State.

Received from House, 689, 1306.
First reading, 1047.
Reference, 1047.
Reported back, 1098.
Passed, 1188.
Returned to House, 1203, 1323.
Signed by President, 1317.

House Bill No. 181

House Bill No. 181. A Bill for an Act to Amend and Re-

enact Chapter 254 of the Session Laws of 1933, Relating to the Old Age Pensions, Creating an Old Age Pension Fund, Providing for the Levy of Any Annual Tax Therefor, Prescribing Persons to Be Pensioned Thereunder, and Penalties for the Violation Thereof.

Received from House, 1010, 1614.
First reading, 1050.
Reference, 1050.
Reported back, 1221.
Other action, 1297, 1388.
Passed, 1523.
Returned to House, 1548, 1638.
Recalled from House, 1590.
Reconsidered, 1616.
Indefinitely postponed, 1616.

House Bill No. 182

House Bill No. 182. A Bill for an Act to Amend and Re-enact Section 3999, Supplement to the Compiled Laws of 1913.

Received from House, 759, 1399.
First reading, 1047.
Reference, 1047.
Reported back, 1145.
Amended, 1145, 1201.
Passed, 1201.
Returned to House, 1228, 1443.
Other action, 1304.
Signed by President, 1439.

House Bill No. 183

House Bill No. 183. A Bill for an Act to Repeal Sections 924, 925, 926, and 927 of the Compiled Laws for the Year 1913, as Section 927 is Amended by Chapter 213 of the Session Laws of 1923, and as Found in Section 927a1 and 927a2, Relating to Publicity Pamphlet and the Publication and Distribution Thereof.

Received from House, 688.
First reading, 1047.
Reference, 1047.
Reported back, 1328.
Indefinitely postponed, 1328.
Returned to House, 1514.

House Bill No. 185

House Bill No. 185. A Bill for an Act Requiring the Commissioner of Insurance to Deposit All Receipts of the Department With the State Treasurer, and Providing for the Establishment of an Insurance Department Operating Account, and Requiring All Expenses of the Insurance Department to Be Paid Out of Such Insurance Department Operating Account. Repeal.

Received from House, 876.
First reading, 1041.
Reference, 1042.
Reported back, 1453.
Other action, 1454, 1456, 1538, 1594.
Indefinitely postponed, 1594.
Returned to House, 1595.

House Bill No. 188

House Bill No. 188. A Bill for an Act Relating to the Granting of Preventative Relief, Prescribing Conditions Thereof and Provisions Therefor; and Repealing Sections 7214a1, 7214a2 and 7214a3 of the Supplement to the 1913 Compiled Laws of North Dakota.

Received from House, 645, 1399.
First reading, 1047.
Reference, 1048.
Reported back, 1148.
Passed, 1263.
Returned to House, 1283, 1443.
Signed by President, 1439.

House Bill No. 193

House Bill No. 193. A Bill for an Act Prohibiting the Deposit of Any Public Funds by Any State, County, School Township or Any Board or Commission in Any Bank, Unless at Least 51% of the Stock of Said Bank is Owned by Actual Residents of the State of North Dakota.

Received from House, 877.
First reading, 1042.
Reference, 1043.
Reported back, 1148.
Indefinitely postponed, 1148.
Returned to House, 1205.

House Bill No. 195

House Bill No. 195. A Bill for an Act to Amend and Re-enact Section 6 of the Initiated Measure Approved by the People June 30, 1926, Imposing a Tax Upon the Sale of Motor Vehicle Fuel, as Last Amended by Chapter 189 of the Session Laws of 1931, Providing for the Refund in Certain Cases of the Motor Vehicle Fuel Tax Paid and Procedure to Be Followed to Obtain Such Refund; Limiting Time Within Which Application for Refund May Be Made and Allowed; and Declaring an Emergency.

Received from House, 916.
First reading, 1044.
Reference, 1044.
Reported back, 1417.
Indefinitely postponed, 1417.
Returned to House, 1514.

House Bill No. 196

House Bill No. 196. A Bill for an Act Providing for the Creation and Establishment of a Labor Division Within the Department of Agriculture and Labor, and Providing for the Qualification and Making Provision for the Appointment of a Deputy Within the Department of Agriculture and Labor, to Represent Labor; Establishing a State Employment Service in Co-operation with the Federal Government Under the Provisions of the Wagner-Percy Act. Providing Payment of Salaries and Expenses and Making an Appropriation, and Declaring an Emergency.

Received from House, 874, 1619.
First reading, 1039.
Reference, 1039, 1350.
Reported back, 1348, 1462.
Amended, 1348, 1349, 1462.
Other action, 1538, 1539, 1569.
Passed, 1538.
Returned to House, 1548, 1637.
Signed by President, 1634.

House Bill No. 197

House Bill No. 197. A Bill for an Act to Repeal Section 2, of Chapter 106 Session Laws of North Dakota 1927, and Declaring an Emergency.

Received from House, 517.
First reading, 568.
Reference, 568.
Reported back, 1091.
Indefinitely postponed, 1091.
Returned to House, 1132.

House Bill No. 202

House Bill No. 202. A Bill for an Act Amending and Re-enacting Chapter 94, Session Laws of the State of North Dakota for the Year 1933.

Received from House, 759, 1305.
First reading, 1048.
Reference, 1048.
Reported back, 1097.
Passed, 1186.
Returned to House, 1203, 1322.
Signed by President, 1317.

House Bill No. 204

House Bill No. 204. A Bill for an Act to Repeal Section 10185b of the Supplement to the 1913 Compiled Laws of North Dakota Relating to Prohibiting Smoking in Specified Places, and the Penalties.

Received from House, 688, 1491.
First reading, 1048.

Reference, 1048.
Reported back, 1175.
Passed, 1286.
Other action, 1286.
Returned to House, 1311, 1480.
Signed by President, 1472.

House Bill No. 206

House Bill No. 206. A Bill for an Act Fixing the Maximum Annual Salary Which May Be Paid the Assistant Dairy Commissioners, and Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Received from House, 563, 1306.
First reading, 571.
Reference, 571.
Reported back, 1090.
Passed, 1157.
Returned to House, 1180, 1323.
Signed by President, 1317.

House Bill No. 210

House Bill No. 210. A Bill for an Act to Amend and Re-enact That Portion of Section 2166 of the Supplement to the Compiled Laws of 1913 as Was Amended and Re-enacted by Sub Section (b) of Section 1 of Chapter 279 of the 1931 Session Laws Relating to the Collection of Personal Property Taxes; Providing for Publication of Personal Property Tax List in Newspapers Nearest the Taxing District. Repeal.

Received from House, 876.
First reading, 1041.
Reference, 1041, 1108.
Reported back, 1343.
Indefinitely postponed, 1343, 1622.
Reconsidered, 1482.
Other action, 1483, 1622.
Returned to House, 1639.

House Bill No. 212

House Bill No. 212. A Bill for an Act Appropriating Five Thousand Dollars (\$5,000.00) to the State Historical Society for the Purchase of the Site of Old Fort Abraham Lincoln in Morton County, North Dakota.

Received from House, 689, 1523.
First reading, 1045.
Reference, 1045.
Reported back, 1215.
Passed, 1385.
Returned to House, 1425, 1542.
Signed by President, 1539.

House Bill No. 213

House Bill No. 213. A Bill for an Act Creating the State

Athletic Commission, Prescribing its Powers and Duties, Providing Penalties for Violations and Repealing all Acts or Parts of Acts in Conflict Herewith.

Received from House, 876, 1523.
 First reading, 1041.
 Reference, 1041.
 Reported back, 1236.
 Amended, 1236.
 Passed, 1366.
 Returned to House, 1422, 1542.
 Other action, 1446.
 Signed by President, 1540.

House Bill No. 217

House Bill No. 217. A Bill for an Act to Amend and Re-enact Sections 6548a11 and 6548a12 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Exchange of Reciprocal or Inter-Insurance Contracts; Providing for Appointment of Resident Agents; License Fees and Tax; Publication of Abstract of Annual Statement; Providing for Applicability of General Insurance Laws. Repeal.

Received from House, 526, 1619.
 First reading, 570.
 Reference, 570.
 Reported back, 1222.
 Amended, 1222, 1431, 1549.
 Passed, 1299, 1432, 1550.
 Returned to House, 1316, 1637.
 Conference committee, 1359, 1416, 1424, 1431, 1446, 1492, 1535, 1549, 1555, 1575.
 Other action, 1549, 1550.
 Signed by President, 1634.

House Bill No. 220

House Bill No. 220. A Bill for an Act to Prohibit Dancing In, On, Or About Places Where the Licensed Sale or Distribution of Wines, Beer or Vinous Liquor is Conducted, and Providing the Penalty for Violation, Declaring an Emergency.

Received from House, 873.
 First reading, 1038.
 Reference, 1038.
 Reported back, 1214.
 Other action, 1293, 1302, 1388, 1525, 1620, 1622, 1623.
 Passed, 1292, 1622.
 Reconsidered, 1302.
 Returned to House, 1623.

House Bill No. 221

House Bill No. 221. A Bill for an Act Granting Easements to the United States for Rights of Way Over Lands Owned by the State of North Dakota for Ditches, Dams,

Dikes, Fills, Spillways, or Other Structures Now Constructed or to Be Constructed by the United States of America, Its Instrumentalities or Agencies, for the Purpose of Water and/or Wildlife Conservation.

Received from House, 689, 1218.
First reading, 1045.
Reference, 1045.
Reported back, 1090.
Passed, 1221.
Returned to House, 1180, 1251.
Signed by President, 1246.

House Bill No. 227

House Bill No. 227. A Bill for an Act to Amend and Re-enact Section 7 of Chapter 235, Session Laws of 1929, as Amended by Chapter 252, Session Laws of 1931, and Section 2 of Chapter 297, Session Laws of 1931, Relating to the Tax Levy Limitations of School Districts, Repealing Section 7 of Chapter 235, Session Laws of 1929, as Amended by Chapter 252, Session Laws of 1921, and Section 2 of Chapter 297, Session Laws of 1931, and all Acts or Parts of Acts in Conflict Herewith.

Received from House, 1011.
First reading, 1050.
Reference, 1050.
Reported back, 1218.
Indefinitely postponed, 1218.
Returned to House, 1426.

House Bill No. 231

House Bill No. 231. A Bill for an Act to Amend and Re-enact Section 4 of Chapter 128 of the Session Laws of the State of North Dakota for the Year 1925, Being Section 3163a4 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to Dance Permits.

Received from House, 688, 1154.
First reading, 1045.
Reference, 1046.
Reported back, 1078.
Passed, 1114.
Returned to House, 1133, 1225.
Signed by President, 1207.

House Bill No. 234

House Bill No. 234. A Bill for an Act Relating to Foreclosure of Real Estate Mortgages Held by the State of North Dakota as Security for Investment of Permanent School Funds, Authorizing the Board of University and School Lands to Accept From Record Title Owner Deed of Conveyance of Mortgaged Land in Lieu of Foreclosure, Affect of Such an Deed, Dispensing With Execution and Delivery

of Power of Attorney in Conducting Proceedings for the Foreclosure of Such Mortgages, Repealing All Acts or Parts of Acts in Conflict Herewith, and Declaring an Emergency.

Received from House, 874, 1491.
 First reading, 1039.
 Reference, 1039.
 Reported back, 1237.
 Passed, 1368.
 Returned to House, 1392, 1481.
 Signed by President, 1473.

House Bill No. 235

House Bill No. 235. A Bill for an Act to Amend and Re-enact Section 9070 of the 1913 Compiled Laws of the State of North Dakota Relating to Notice to Vacate Premises.

Received from House, 665.
 First reading, 1046.
 Reference, 1046.
 Reported back, 1144.
 Indefinitely postponed, 1144.
 Returned to House, 1204.

House Bill No. 236

House Bill No. 236. A Bill for an Act to Amend and Re-enact Section 409 of the Compiled Laws of North Dakota for 1913 as Amended by Chapter 105 of the Session Laws of North Dakota for 1929, Relating to Compensation of President, Vice President of the Board of Health and County Superintendent of Health, Mileage and Expenses, and Repealing All Acts in Conflict Therewith.

Received from House, 760, 1491.
 First reading, 1046.
 Reference, 1046.
 Reported back, 1175.
 Amended, 1175, 1286.
 Other action, 1287.
 Passed, 1287.
 Returned to House, 1311, 1478.
 Signed by President, 1471.

House Bill No. 241

House Bill No. 241. A Bill for an Act to Amend and Re-enact Section 852 of the Compiled Laws of North Dakota for 1913, as Amended by Section 1, Chapter 150 of the Session Laws of 1915; Providing for a Primary Election to Be Held on the Last Tuesday in June in Years in Which General Elections Occur; Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from House, 689.
 First reading, 1048.
 Reference, 1048.

Reported back, 1328.
 Indefinitely postponed, 1328.
 Returned to House, 1514.

House Bill No. 243

House Bill No. 243. A Bill for an Act Permitting Deduction of Delinquent Personal Property Taxes From Claims, Demands, Salaries and Wages Due From County Officers and Others; Prescribing Duties of County Auditor in Connection Therewith; Giving Such Deduction Priority Over Any Sale, Transfer or Assignment of Such Claim, Demand, Salary and Wage; Repealing Section 4227 of the Compiled Laws of North Dakota 1913 and All Acts or Parts of Acts in Conflict Herewith.

Received from House, 760, 1306.
 First reading, 1048.
 Reference, 1048.
 Reported back, 1093.
 Passed, 1166.
 Returned to House, 1181, 1323.
 Signed by President, 1317.

House Bill No. 250

House Bill No. 250. A Bill for an Act Validating Certain County Warrants for Poor Relief Issued Under and by Virtue of Section 4, Chapter 98 of Session Laws of North Dakota for 1933, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Received from House, 645, 1306.
 First reading, 1048.
 Reference, 1048.
 Reported back, 1094.
 Passed, 1177.
 Returned to House, 1203, 1323.
 Signed by President, 1317.

House Bill No. 253

House Bill No. 253. A Bill for an Act to Amend and Re-enact Section 6 of Chapter 199, Session Laws of 1933, Relating to the Disposition of Fees and Payment of Expenses of the North Dakota Regulatory Department.

Received from House, 688, 1399.
 First reading, 1048.
 Reference, 1048.
 Reported back, 1147.
 Passed, 1255.
 Returned to House, 1283, 1443.
 Signed by President, 1439.

House Bill No. 255

House Bill No. 255. A Bill for an Act to Amend and Re-

establish the State Equalization Fund for the Common Schools of the State; to Provide for the Distribution of the Same Upon the Basis of Need, in the Payment of High School Tuition in Lieu of That Now Provided by Law and in the Payment of Direct Aid to School Districts Upon a Teacher-unit Basis; and to Provide Methods for the Ascertainment and Payment of the Sums Payable to School Districts; Repealing All Acts in Conflict Herewith.

Received from House, 1011, 1728.
 First reading, 1051.
 Reference, 1052.
 Reported back, 1515.
 Amended, 1515, 1597, 1598, 1599, 1694.
 Other action, 1599, 1600, 1695, 1696.
 Passed, 1600, 1695.
 Returned to House, 1600, 1734.
 Conference committee, 1640, 1651, 1694, 1696, 1699.
 Signed by President, 1731.

House Bill No. 256

House Bill No. 256. A Bill for an Act Authorizing the County Commissioners to Purchase and Condemn Right of Ways.

Received from House, 689, 756, 1523.
 First reading, 1048.
 Reference, 1049.
 Reported back, 1340.
 Other action, 704.
 Returned to House, 707, 1424, 1542.
 Passed, 1395.
 Signed by President, 1541.

House Bill No. 258

House Bill No. 258. A Bill for an Act Providing a Uniform Law for the Administration and Supervision of Trust Estates in the District Court, and Providing the Procedure and Rules Governing and Relating to Same; and Repealing All of Chapter 122 of the Session Laws of North Dakota for the Year 1931, and All Other Acts or Parts of Acts in Conflict Herewith, and Making the Act an Emergency Measure.

Received from House, 1010, 1523.
 First reading, 1050.
 Reference, 1050, 1296.
 Reported back, 1343.
 Other action, 1344, 1363, 1364.
 Passed, 1364.
 Returned to House, 1425, 1542.
 Signed by President, 1540.

House Bill No. 259

House Bill No. 259. A Bill for an Act to Amend and Re-

enact Sub-section (b) of Section 5, of Chapter 235 of the Session Laws of 1929, as Amended by Chapter 297 of the Session Laws of 1931, Relating to Tax Levy, Limitations of Cities.

Received from House, 757, 1399.
 First reading, 1049.
 Reference, 1049.
 Reported back, 1094.
 Amended, 1094.
 Passed, 1179.
 Returned to House, 1228, 1443.
 Other action, 1304.
 Signed by President, 1439.

House Bill No. 261

House Bill No. 261. A Bill for an Act to Amend and Re-enact Section 2202 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota Relating to Giving Notice of the Expiration of the Period of Redemption on Property Forfeited to the County at Tax Sales, Issuance of Tax Deeds to County and Sale by County of Property Acquired by Tax Deed, as Said Section is Amended by Chapter 226 of the Session Laws of 1927 Insofar as it Relates to Sub-division 6 of Said Amended Chapter.

Received from House, 761.
 First reading, 1049.
 Reference, 1049.
 Reported back, 1233.
 Indefinitely postponed, 1233.
 Returned to House, 1426.

House Bill No. 262

House Bill No. 262. A Bill for an Act to Amend and Re-enact Section 3596 of the Compiled Laws of 1913, Relating to Procedure in Passing Ordinances in Cities Under the Mayor Council Form of Government.

Received from House, 689, 1523.
 First reading, 1049.
 Reference, 1049.
 Reported back, 1341.
 Passed, 1404.
 Returned to House, 1425, 1542.
 Signed by President, 1540.

House Bill No. 263

House Bill No. 263. A Bill for an Act Amending and Re-enacting Section 2 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Acts Amendatory Thereof; Section 3C, Section 3G and Section 3G (1) of Chapter 260 of the Session Laws of North Dakota for the Year 1929; Sub-section B, Sub-section D and Sub-section I of Section 4 of Chapter 162 of the Session Laws of North

Dakota for the Year 1919 as Amended by Chapter 314 of the Session Laws of North Dakota for the Year 1931; Section 10-1 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Acts Amendatory Thereof; Section 13 of Chapter 162 of the Session Laws of North Dakota for the Year 1919 and Section 17 of Chapter 162 of the Session Laws of North Dakota for the Year 1919, All Constituting Parts of the Workmen's Compensation Act of the State of North Dakota and Further Making it Illegal to Employ Workers Not Protected by Workmen's Compensation Insurance and Giving the Workmen's Compensation Bureau Power to Enjoin Such Unlawful Employments.

Received from House, 873, 1491.
 First reading, 1038.
 Reference, 1038.
 Reported back, 1232.
 Amended, 1232.
 Passed, 1300.
 Returned to House, 1316, 1479.
 Other action, 1359.
 Signed by President, 1471.

House Bill No. 265

House Bill No. 265. A Bill for an Act to Cancel All Interest and Penalty, Levied and Assessed Against Delinquent Real Estate Taxes and Providing for Redemption of Real Estate Sold or Forfeited to the County for the Years 1933, and All Prior Years, and Still Held by the County, Without Paying Interest or Penalty, if Said Taxes Are Paid During the Year 1935; Repealing All Acts in Conflict Herewith.

Received from House, 757, 1399.
 First reading, 1049.
 Reference, 1049.
 Reported back, 1093.
 Amended, 1094.
 Passed, 1168.
 Returned to House, 1228, 1443.
 Other action, 1304.
 Signed by President, 1439.

House Bill No. 267

House Bill No. 267. A Bill for an Act to Authorize, Upon the Option of the Voters, the Creation of a Light and Power Users Commission in Any Organized Town, Village, or City in the State of North Dakota.

Received from House, 874.
 First reading, 1040.
 Reference, 1040.
 Reported back, 1220.
 Amended, 1220, 1296.
 Other action, 1296, 1374, 1375.
 Lost, 1296.
 Reconsidered, 1374.

Passed, 1374.
Returned to House, 1426.
Conference committee, 1447, 1454, 1484, 1485, 1492.

House Bill No. 273

House Bill No. 273. A Bill for an Act to Establish a County Motor Vehicle Department Under the Supervision of the State Highway Commissioner. Designating County Auditor as Assistant Registrar of the State Motor Vehicle Registration Department. Providing for a Uniform System of Accounting and Business Procedure for Such County Motor Vehicle Departments. Giving State Highway Commissioner, Acting Directly or Through State Motor Vehicle Department, Authority to Make Necessary Rules and Regulations of the Administration of the Affairs in the County Motor Vehicle Departments. Providing How County Auditors Shall Qualify as Such Assistant Motor Vehicle Registrars, Bond and Compensation. Defining Certain Duties Imposed Upon the State Motor Vehicle Department, its Registrar, the Assistant Registrar in Each County in the State. Disposition of the Fees and Moneys Collected from the Sale of Motor Vehicle Licenses and Tags at the County Seats of the Several Counties of the State of North Dakota and Providing That All Acts or Parts of Acts in Conflict with the Provisions of This Act are Superseded by the Provisions Hereof.

Received from House, 1024.
First reading, 1052.
Reference, 1052.
Reported back, 1331.
Other action, 1331.
Indefinitely postponed, 1331.
Returned to House, 1513.

House Bill No. 276

House Bill No. 276. A Bill for an Act Relating to Special Election for Removal of County Seats in Certain Counties, and Petition Therefor, Providing for Preliminary Resolutions by the Board of County Commissioners and Publication Thereof, Notice of Election, Election—How Conducted, and County Seat Designated, Repealing All Acts in Conflict Therewith, and Declaring an Emergency.

Received from House, 876, 1523.
First reading, 1041.
Reference, 1041.
Reported back, 1328.
Passed, 1389.
Returned to House, 1424, 1542.
Signed by President, 1541.

House Bill No. 277

House Bill No. 277. A Bill for an Act to Amend and Re-enact Section 2761 of the Compiled Laws of the State of

North Dakota for 1913 as Amended by Chapter 64, Session Laws of 1915, Prohibiting the Sale of Purebred Cattle or Cattle Represented to Be Purebred, for any Other Purpose Except Slaughter, Unless Accompanied by a Certificate of Health, and Providing a Penalty Therefor.

Received from House, 875.
 First reading, 1040.
 Reference, 1040.
 Reported back, 1420.
 Passed, 1536.
 Other action, 1537.
 Returned to the House, 1543.

House Bill No. 278

House Bill No. 278. A Bill for an Act Authorizing the State of North Dakota to Manufacture, at its Own Cost, for its Own Use, the Hoiland Economy Road Planer, and Pay the Patentee, Albert Hoiland, the sum of \$5.00 for Each Planer so Manufactured and Used.

Received from House, 877.
 First reading, 1043.
 Reference, 1043.
 Reported back, 1091.
 Amended, 1092.
 Other action, 1159.
 Passed, 1288.
 Returned to House, 1315.
 Indefinitely postponed by House, 1358.

House Bill No. 280

House Bill No. 280. A Bill for an Act to Amend and Re-enact Section 9020 of the Compiled Laws of North Dakota for the Year 1913, Relating to Surety for Costs Where Plaintiff is a Non-resident of the State or a Corporation and Exempting from the Operation of Said Section Public Corporations of the State of North Dakota and Corporations That Are Instrumentalities or Agencies of the United States of America.

Received from House, 756.
 First reading, 1049.
 Reference, 1049.
 Reported back, 1144.
 Indefinitely postponed, 1144.
 Returned to House, 1204.

House Bill No. 281

House Bill No. 281. A Bill for an Act to Amend and Re-enact Section 7812 of the Compiled Laws of North Dakota for the Year 1913, Relating to Non-resident and Foreign Corporations Furnishing Surety for Costs When Plaintiffs and Excepting from the Operation Thereof, Corporations That

Are Agencies or Instrumentalities of the United States of America.

Received from House, 873.
 First reading, 1039.
 Reference, 1039.
 Reported back, 1220.
 Indefinitely postponed, 1296.
 Returned to House, 1426.

House Bill No. 286

House Bill No. 286. A Bill for an Act to Amend and Re-enact Sections 396b1, 396b2, 396b4, 396b5 and 396b10 of the 1925 Supplement to the 1913 Compiled Laws of the State of North Dakota, Relating to the Minimum Wage and Hours for Women Workers; Transferring the Duties for the Enforcement of the Said Law From the Workmen's Compensation Bureau to the Department of Agriculture and Labor; Repealing All Acts and Parts of All Acts in Conflict With This Act and Declaring an Emergency.

Received from House, 758, 1491.
 First reading, 1050.
 Reference, 1050.
 Reported back, 1237.
 Passed, 1367.
 Returned to House, 1392, 1481.
 Signed by President, 1473.

House Bill No. 287

House Bill No. 287. A Bill for an Act Creating and Establishing a Lien in Connection with the Planting, Cultivation and Harvesting of Sugar Beets, to Be Known as Sugar Beet Crop Production Lien, Providing the Manner in Which Such Lien Shall Be Perfected, the Priority Thereof, Repealing All Acts in Conflict Herewith, and Declaring an Emergency.

Received from House, 874, 1491.
 First reading, 1040.
 Reference, 1040.
 Reported back, 1174.
 Passed, 1284.
 Returned to House, 1311, 1478.
 Signed by President, 1470.

House Bill No. 289

House Bill No. 289. A Bill for an Act to Amend and Re-enact Sub-division 4 of Section 4 and Sections 13 and 14 of Chapter 97 of the Session Laws of 1933, Relating to the Administration of County Poor Relief.

Received from House, 873, 1399.
 First reading, 1039.
 Reference, 1039.

Reported back, 1092.
Amended, 1092, 1165.
Other action, 1165, 1304.
Passed, 1165.
Returned to House, 1228, 1444.
Signed by President, 1440.

House Bill No. 292

House Bill No. 292. A Bill for an Act Authorizing and Empowering Cities and Villages to Issue Bonds for the Purpose of Purchasing Outstanding Special Improvement Warrants, and Declaring an Emergency.

Received from House, 916, 1491.
First reading, 1043.
Reference, 1043.
Reported back, 1174.
Passed, 1280.
Returned to House, 1312, 1479.
Signed by President, 1471.

House Bill No. 295

House Bill No. 295. A Bill for an Act Prohibiting Real Estate and Chattel Mortgages Given to Secure the Purchase or Contract Price of Personal or Real Property from Including or Creating a Lien on Any Real or Personal Property Other Than the Property Purchased for Which Said Mortgage is Given to Secure; Invalidating Real and Chattel Mortgages Given in Violation of This Act, and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from House, 761, 1491.
First reading, 1051.
Reference, 1051.
Reported back, 1219.
Amended, 1219, 1294.
Other action, 1295, 1359.
Passed, 1295.
Returned to House, 1315, 1479.
Recalled from House, 1461.
Signed by President, 1472.

House Bill No. 298

House Bill No. 298. A Bill for an Act Requiring Safety Shatter-proof Glass in Taxis, Passenger and Automotive Busses.

Received from House, 759, 1218.
First reading, 1051.
Reference, 1051.
Reported back, 1088.
Passed, 1129.
Returned to House, 1180, 1251.
Signed by President, 1246.

House Bill No. 299

House Bill No. 299. A Bill for an Act to Amend and Re-enact Section 2 of Chapter 206 of the 1933 Session Laws of the State of North Dakota, Providing for the Sale of Personal Property or Chattels Ordered Sold by Judicial Action; Providing for the Publication of Notice of Sale, Repealing Acts in Conflict Herewith and Declaring an Emergency.

Received from House, 760, 1619.
First reading, 1050.
Reference, 1051.
Reported back, 1339.
Other action, 1339, 1351, 1464.
Passed, 1463.
Returned to House, 1547, 1637.
Signed by President, 1633.

House Bill No. 300

House Bill No. 300. A Bill for an Act to Amend and Re-enact Section 4809b6, of the Supplement to the 1913 Compiled Laws of North Dakota, Providing Enlarged Powers to Co-operative Marketing Associations in Connection with the Handling of Co-operative Products.

Received from House, 756, 1399.
First reading, 1051.
Reference, 1051.
Reported back, 1147.
Passed, 1261.
Returned to House, 1283, 1444.
Signed by President, 1440.

House Bill No. 310

House Bill No. 310. A Bill for an Act Establishing Methods for Determining Division Lines Between Adjoining Owners of Agricultural Lands; Authorizing Survey by County Surveyor and Requiring Adjoining Owners to Share the Expense; Providing Methods for Collecting Said Expense.

Received from House, 873.
First reading, 1039.
Reference, 1039.
Reported back, 1148.
Indefinitely postponed, 1148.
Returned to House, 1204.

House Bill No. 311

House Bill No. 311. A Bill for an Act to Amend and Re-enact Section 470 of the Compiled Laws of the State of North Dakota for 1913 Being Section 13 of Chapter 189 Session Laws of 1911, Relating to Penalties for Violation of the Laws Concerning the Practice of Medicine and Surgery.

Received from House, 759, 1491.

First reading, 1051.
 Reference, 1051.
 Reported back, 1213.
 Amended, 1290.
 Other action, 1290, 1359.
 Passed, 1290.
 Returned to House, 1314, 1478.
 Signed by President, 1470.

House Bill No. 313

House Bill No. 313. A Bill for an Act Authorizing and Directing the Register of Deeds in the Various Counties to Remove From Their Files and Destroy Outlawed Seed Liens, Labor Liens, Stallion Liens, Chattel Mortgages and Threshing Liens Filed Prior to January 1, 1920, and by Reason of Failure of Renewal as by Statute Provided Have Become Outlawed; Requiring Records to Be Kept.

Received from House, 759, 1523.
 First reading, 1044.
 Reference, 1044.
 Reported back, 1341.
 Passed, 1405.
 Returned to House, 1425, 1542.
 Signed by President, 1541.

House Bill No. 314

House Bill No. 314. A Bill for an Act Relating to the Granting of Relief in Certain Cases From Inequitable Foreclosure of Mortgages on Real Estate and Execution Sales of Real Estate; for Postponing Certain Sales and for Extending the Periods of Redemption From Certain Others; and Relating to the Jurisdiction and Procedure for Such Relief and for the Right to Possession During the Extended Period, and for Extending the Expiration of Certain Periods of Redemption.

Received from House, 917.
 First reading, 1042.
 Reference, 1042.
 Reported back, 1529.
 Other action, 1515.
 Indefinitely postponed, 1529.
 Returned to House, 1543.

House Bill No. 323

House Bill No. 323. A Bill for an Act to Amend and Re-enact Sub-section 1 of Section 20, and Section 40 of Chapter 148 of the Session Laws of 1931 Relating to Game and Fish.

Received from House, 916, 1523.
 First reading, 1043.
 Reference, 1043.
 Reported back, 1340.

Other action, 1340, 1397, 1447.
Amended, 1396.
Passed, 1397.
Returned to House, 1426, 1542.
Signed by President, 1539.

House Bill No. 325

House Bill No. 325. A Bill for an Act Relating to the Distribution of the Motor Vehicle Registration Fund.

Received from House, 875, 1523.
First reading, 1040.
Reference, 1040.
Reported back, 1350.
Amended, 1350.
Passed, 1412.
Returned to House, 1427, 1542.
Other action, 1447.
Signed by President, 1539.

House Bill No. 328

House Bill No. 328. A Bill for an Act for the Transfer of License Tags Required for Trucks Engaged in Commercial Freighting, as Provided by Sub-division C of Section 5 of Chapter 186 of the Session Laws of 1931, to Another Truck Owned by the Same License Holder, Upon the Sale or Destruction of Such Commercial Freighting Truck, so Licensed; Prohibiting Automobile Dealers from Permitting the Use of A Dealers License by Another Dealer and Providing Penalty Therefor.

Received from House, 875, 1400.
First reading, 1041.
Reference, 1041.
Reported back, 1149.
Passed, 1278.
Returned to House, 1283, 1444.
Signed by President, 1440.

House Bill No. 329

House Bill No. 329. A Bill for an Act Relating to Transportation or Amounts Allowed in Lieu Thereof, and Providing for Division Among Families; Repealing Acts in Conflict.

Received from House, 875.
First reading, 1041.
Reference, 1041.
Reported back, 1143.
Indefinitely postponed, 1143.
Returned to House, 1204.

House Bill No. 330.

House Bill No. 330. A Bill for an Act to Provide for the

Creation of County Parks and for the Organization of a Board of County Park Commissioners and for the Regulation and Control of Said County Parks and Lands Adjacent Thereto.

Received from House, 876, 1491.
First reading, 1042.
Reference, 1042.
Reported back, 1213.
Passed, 1291.
Returned to House, 1312, 1480.
Signed by President, 1472.

House Bill No. 338.

House Bill No. 338. A Bill for an Act Creating a State Board of Public Welfare, Defining its Powers and Duties; Permitting Appointment of Executive Director; Hold Office at Pleasure of Board; Establishing the State Welfare Fund; Making an Appropriation Therefor; Repealing All Acts and Parts of Acts in Conflict With the Provisions of This Act, and Declaring an Emergency.

Received from House, 917, 1510.
First reading, 1043.
Reference, 1043, 1136.
Reported back, 1233.
Amended, 1233.
Other action, 1303, 1446, 1498.
Passed, 1361.
Signed by President, 1516.
Returned to House, 1422, 1516.

House Bill No. 339

House Bill No. 339. A Bill for an Act Reducing, Defining and Limiting the Permanent Surplus Fund of the State Hail Insurance Department to Three Million (\$3,000,000) Dollars; Declaring the Reasons for Such Limitations Thereon; Providing the Manner of Disbursement and Refunding of Moneys in Excess of Said Sum; Repealing All Acts or Parts of Acts in Conflict Therewith; Declaring an Emergency.

Received from House, 758, 1199.
First reading, 1044.
Reference, 1044.
Reported back, 1084.
Amended, 1084, 1169.
Other action, 1169, 1170, 1185.
Passed, 1169.
Returned to House, 1177, 1200.
Signed by President, 1199.

House Bill No. 347

House Bill No. 347. A Bill for an Act Relating to Relief and Rehabilitation Work Carried on in North Dakota by the Federal Emergency Relief Administration Through the

North Dakota Rural Rehabilitation Corporation; Exempting From Taxation Moneys and/or Credits Coming Into the Possession of or Belonging to the North Dakota Rural Rehabilitation Corporation as a Result of Any Federal Grant or Gift for Relief or Rehabilitation Purposes, and Authorizing the State Treasurer, in Event of Dissolution of the North Dakota Rural Rehabilitation Corporation, to Accept Funds and Property on Hand or Belonging to the Corporation at the Time of Dissolution.

Received from House, 875, 1400.
First reading, 1040.
Reference, 1401.
Reported back, 1093.
Amended, 1093.
Passed, 1167.
Returned to House, 1228, 1444.
Other action, 1252.
Signed by President, 1440.

House Bill No. 353

House Bill No. 353. A Bill for an Act to Amend and Re-enact Section 3080a4 of the Supplement to the Compiled Laws of the State of North Dakota for 1913, Relating to the Labeling of Gasoline and Kerosene.

Received from House, 917, 1491.
First reading, 1042.
Reference, 1042.
Reported back, 1147.
Other action, 1255.
Passed, 1290.
Returned to House, 1312, 1479.
Signed by President, 1471.

House Bill No. 355

House Bill No. 355. A Bill for an Act Making an Appropriation for Payment of a Deficit in the Amount Appropriated for Payment of Per Diem of Employees of Twenty-fourth Legislative Assembly, and Appropriation for Deficit in the Printing Account of the Twenty-fourth Legislative Assembly, and Declaring an Emergency.

Received from House, 761, 1523.
First reading, 1044.
Reference, 1045.
Reported back, 1234.
Amended, 1234.
Passed, 1365.
Returned to House, 1422, 1542.
Other action, 1446.
Signed by President, 1539.

House Bill No. 359

House Bill No. 359. A Bill for an Act to Authorize, Direct

and Empower the State Board of Administration to Provide a Room in the State Capitol Office Building for the Exclusive Use of Representatives of Accredited Press Associations and Daily and Other Newspapers.

Received from House, 917, 1398.
 First reading, 1042.
 Reference, 1042.
 Reported back, 1087.
 Other action, 1087, 1127, 1160, 1178, 1304.
 Amended, 1126, 1178.
 Lost 1127.
 Reconsidered, 1160.
 Passed, 1178.
 Returned to House, 1228, 1442.
 Signed by President, 1438.

House Bill No. 360

House Bill No. 360. A Bill for an Act Giving Preference to North Dakota Bidders and Sellers; Defining Such North Dakota Bidders and Sellers, and Prescribing the Nature of Preference to Be Given.

Received from House, 875, 1398.
 First reading, 1042.
 Reference, 1042.
 Reported back, 1149.
 Other action, 1277.
 Passed, 1277.
 Returned to House, 1283, 1442.
 Signed by President, 1438.

House Bill No. 362

House Bill No. 362. A Bill for an Act to Amend Section 25, Chapter 97 of the Session Laws of North Dakota for 1933, Relating to Relief for the Poor, Prescribing the Establishment of a County Welfare Board by the Board of County Commissioners.

Received from House, 918, 1011, 1491.
 First reading, 1052.
 Reference, 1052.
 Reported back, 1233.
 Recalled by House, 988.
 Returned to House, 989.
 Passed, 1301.
 Returned to House, 1312, 1477.
 Signed by President, 1470.

House Bill No. 363

House Bill No. 363. A Bill for an Act Directing the Board of Administration of the State of North Dakota to Sell at Public Auction or Private Sale, Automobiles and Automobile Equipment Purchased by the Beer Commissioner of the State of North Dakota; Authorizing Said Board to De-

mand, Receive and Take Possession of Such Property; Directing Attorney General to Institute Suits or Proceedings at Request of Board of Administration; Permitting Deduction of Costs and Expenses Connected with Said Sale; Providing for Disposition of Balance of the Receipts and Requiring Report to Governor; Repealing Acts in Conflict and Declaring an Emergency.

Received from House, 1010, 1491.
First reading, 1052.
Reference, 1052.
Reported back, 1237.
Passed, 1368.
Returned to House, 1392, 1480.
Signed by President, 1472.

House Bill No. 365

House Bill No. 365. A Bill for an Act Providing That Teachers Who Served in the United States Armed Forces During the World War Shall Be Entitled to Have the Time of Said Service Counted "Teaching Service" Under the Teachers' Insurance and Retirement Law Upon Payment of the Assessments for the Time of Said Service; and Repealing All Acts or Parts of Acts in Conflict Herewith.

Received from House, 918, 1398.
First reading, 1044.
Reference, 1044.
Reported back, 1143.
Amended, 1143.
Passed, 1198.
Returned to House, 1229, 1442.
Other action, 1304.
Signed by President, 1438.

BILLS VETOED BY THE GOVERNOR

Senate Bill No. 227.

Senate Bill No. 229.

House Bill No. 35 (Partial veto).

House Bill No. 37.

House Bill No. 93.

House Bill No. 95.

House Bill No. 204.

House Bill No. 253.

House Bill No. 295.

House Bill No. 311.

SENATE BILLS INTRODUCED BY COMMITTEES

APPROPRIATIONS—(L. O. Fredrickson, Chairman)

Bill Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17, 18,
19, 20, 21, 22, 55, 63, 65, 71, 74, 102, 103, 109, 112, 139,
140, 163, 232, 277, 278.

GAME AND FISH—(W. S. Handley, Chairman)

Bill No. 53.

EMPLOYMENT—(Harry Peterson, Chairman)

Bill No. 58.

TAXES AND TAX LAWS—(J. K. Brostuen, Chairman)

Bill Nos. 66, 175, 176, 189, 294, 304, 313.

EDUCATION—(A. S. Marshall, Chairman)

Bill No. 158.

INSURANCE—(W. E. Matthaei, Chairman)

Bill No. 96.

JUDICIARY—(J. P. Cain, Chairman)

Bill Nos. 110, 241, 242, 243, 244, 245, 246.

IRRIGATION AND DRAINAGE—(F. T. Gronvold, Chair- man)

Bill Nos. 124, 125, 126, 127, 218, 219, 431.

HIGHWAYS—(Harry Peterson, Chairman)

Bill Nos. 154, 155, 156.

STATE AFFAIRS—(A. F. Bonzer, Jr., Chairman)

Bill Nos. 202, 203, 204, 205, 206, 207, 208, 209, 210, 211,
212, 213, 214, 215, 216, 298.

WOMEN'S AND CHILDREN'S WELFARE—(Dr. G. F. Drew, Chairman)

Bill Nos. 279, 283.

DELAYED BILLS—

Bill Nos. 321, 322, 323, 324, 325, 326, 327, 328, 329.

RESOLUTIONS INTRODUCED BY COMMITTEES

APPROPRIATIONS—

Senate Resolution "E."

Senate Concurrent Resolution "Y."

Senate Concurrent Resolution "A-d"

EMPLOYMENT—

Senate Joint Resolution "B."

EDUCATION—

Senate Joint Resolution "C."

SENATE RESOLUTIONS

SENATE RESOLUTION "A"—(McDonald and Erickson)

Official Photographer.

Introduction, first reading, 84.
Reference, 85.
Reported back, 373.
Indefinitely postponed, 373.

SENATE RESOLUTION "B"—(McDonald)

Interests of Members in Corporations.

Introduction, first reading, 85.
Reference, 86, 362.
Reported back, 362, 592.
Indefinitely postponed, 592.

SENATE RESOLUTION "C"—(Kroeber)

Telephone Toll Rates.

Introduction, First reading, 109.
Reference, 110.
Reported back, 308.
Indefinitely postponed, 308.

SENATE RESOLUTION "D"—(Fredrickson)

Official Photographer.

Introduction, first reading, 110.
Reference, 110.
Reported back, 373.
Indefinitely postponed, 373.

SENATE RESOLUTION "E"—(Committee on Appropriations)

New Buildings, State Institutions.

Introduction, first reading, 190.
Adopted, 190.
Signed by President, 202.
Filed with Secretary of State, 209.

SENATE RESOLUTION "F"—(Erickson, Johnson, Stucke, Lind, Greene of Stutsman and Peterson)

Extends Thanks and Congratulations to Senator Frazier and Congressman Lemke Upon the "Frazier-Lemke Farm Moratorium Act" Having Been Held Constitutional.

Introduction first reading, 421.
Reference, 422.
Reported back, 590.
Amended, 590.
Adopted, 668.
Signed by President, 733.
Filed with Secretary of State, Feb. 25, 1935.

SENATE RESOLUTION "G"—(Watt)

Requests Payrolls of State Departments.

Introduced, first reading, 1353.
Adopted, 1353.
Reconsidered, 1360.
Reference, 1360.
Signed by President, 1675.
Filed with Secretary of State, 1736.

SENATE RESOLUTION "H"—(Handley)

Introduction, first reading, 1365.
Adopted, 1354.
Signed by President, 1440.
Filed with Secretary of State, 1525.

SENATE RESOLUTION "I"—(Eastgate)

Expresses Appreciation for Publicity of Legislative News.

Introduction, first reading, 1487.
Adopted, 1487.
Filed with Secretary of State, 1736.

SENATE RESOLUTION "J"—(Greene of Stutsman)

Memorializing Congress to Adjust the Cattle Program
So that Parity Prices May be Obtained by Cattlemen.

Introduced, first reading, 1585.
Adopted, 1585.
Signed by President, 1675.
Filed with Secretary of State, 1736.

SENATE RESOLUTION "K"—(Thatcher)

Directs Board of Railroad Commissioners to Inspect
Electricity Rates Charged by Utilities.

Introduction, first reading, 1639.
Adopted, 1640.
Filed with Secretary of State, 1736.

SENATE MEMORIAL RESOLUTIONS

SENATE MEMORIAL RESOLUTION "A"—(Braaten)

Danna J. Tinnis, Deceased.

Introduction, first reading, 72.

Adopted, 73.

Filed with Secretary of State, 209.

SENATE MEMORIAL RESOLUTION "B"—(Braaten)

W. S. Whitman, Deceased.

Introduction, first reading, 73.

Adopted, 74.

Filed with Secretary of State, 209.

SENATE JOINT RESOLUTIONS

JOINT MEMORIAL RESOLUTION "A"—(Marshall, Fowler, Whelan, Nelson of Grand Forks and Fine)

Condolence to Senator Lynn J. Frazier.

Introduction, first reading, 56.

Adopted, 56.

Signed by President, 213.

Sent to House, 216.

Returned to Senate, 228.

Filed with Secretary of State, 300.

Acknowledgment from Senator Frazier, 396.

JOINT RESOLUTION "B"—(Committee on Employment)

Legislative Employees Salaries.

Introduction, first reading, 133.

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Adopted, 135.

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Returned to Senate, 209.

Indefinitely postponed, 209.

JOINT RESOLUTION "C"—(Committee on Education)

Appoints Sub-committee on Education Relating to School Aid.

Introduction, first reading, 181.

Adopted, 182.

Sent to House, 189.

Returned to Senate, 194, 228.

Signed by President, 213.

Sent to House, 216.

Filed with Secretary of State, 300.

JOINT RESOLUTION "D"—(McDonald and Greene of Stutsman)

Introduction, first reading, 217.

Reference, 217.

Reported back, 823.

Indefinitely postponed, 823.

SENATE JOINT RESOLUTION "E"—(Changed to Senate Concurrent Resolution "V.")

SENATE JOINT RESOLUTION "F"—(Brostuen, Fowler
and Whelan)

Taxation, Interstate Sales.
Introduced, first reading, 663.
Adopted, 664.
Sent to House, 665, 736.
Returned to Senate, 687, 774.
Signed by President, 733.
Filed with Secretary of State, 1057.

SENATE CONCURRENT RESOLUTIONS

SENATE CONCURRENT RESOLUTION "A"—(Greene of Stutsman, McDonald, Fowler and Drew)

Memorializes Congress, Federal Aid to School Districts.

Introduction, first reading, 32.
Second reading, 33.
Adopted, 33.
Sent to House, 64, 192, 288.
Returned to Senate, 179, 199.
Signed by President, 189.
Filed with Secretary of State, 300.

SENATE CONCURRENT RESOLUTION "B"—(Bonzer) (Amended by House to read—Joint Resolution "B")

Memorializes Congress to Continue Federal Relief.

Introduction, first reading, 54.
Adopted, 55.
Sent to House, 64, 216.
Returned to Senate, 179, 229.
Other action, 190, 215.
Signed by President, 202.
Filed with Secretary of State, 341.

SENATE CONCURRENT RESOLUTION "C"—(Fowler, Whelan, Trovatten and Bonzer)

Memorializes Congress, Federal Aid, Highways.

Introduction, first reading, 74.
Adopted, 75.
Sent to House, 97, 192, 288.
Returned to Senate, 152, 199.
Signed by President, 189.
Filed with Secretary of State, 300.

SENATE CONCURRENT RESOLUTION "D"—(Erickson)

Memorializes Congress, Tax Exempt Securities.

Introduction, first reading, 95.
Reported back, 107.
Adopted, 126.
Sent to House, 129, 281.
Returned to Senate, 229, 288.
Signed by President, 278.
Filed with Secretary of State, 341.

SENATE CONCURRENT RESOLUTION "E"—(Erickson)

Revenue and Taxation.

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Adopted, 297.
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Returned to Senate, 757, 917.
Signed by President, 880.
Filed with Secretary of State, 1284.

SENATE CONCURRENT RESOLUTION "F"—(Kroeber)

Telephone Toll Rates.

Introduction, first reading, 110.
Reference, 111.
Reported back, 232.
Indefinitely postponed, 232.

SENATE CONCURRENT RESOLUTION "G"—(Gronvold and Dubay)

Memorializes Congress, Federal Buildings at Peace Garden.

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Reference, 111.
Reported back, 199.
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Signed by President, 294.
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SENATE CONCURRENT RESOLUTION "H"—(Whelan, McGillic and Lynn)

Memorializes Congress, Veterans Adjusted Compensation.

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Reported back, 122.
Adopted, 148.
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Returned to Senate, 194, 228.
Signed by President, 213.
Filed with Secretary of State, 341.

SENATE CONCURRENT RESOLUTION "I"—(Miklethun and Peterson)

Memorializes Congress, Townsend Old Age Pension Plan.

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Reference, 123.
Reported back, 198.

Adopted, 225.
 Sent to House, 234, 327.
 Returned to Senate, 274, 370.
 Signed by President, 295.
 Filed with Secretary of State, 432.

SENATE CONCURRENT RESOLUTION "J"—(Mutchler)

Amendment to N. D. Constitution, Sec. 176, Article 29,
 Taxes.

Introduction, first reading, 139.
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SENATE CONCURRENT RESOLUTION "K"—(Erickson,
 Peterson and Ettestad)

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SENATE CONCURRENT RESOLUTION "M"—(Miklethun)

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 Signed by President, 733.
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SENATE CONCURRENT RESOLUTION "N"—(Thatcher)

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SENATE CONCURRENT RESOLUTION "O"—(Bonzer, Stucke and Erickson)

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Signed by President, 658.

Filed with Secretary of State, 733.

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Signed by President, 816.

Filed with Secretary of State, 1284.

SENATE CONCURRENT RESOLUTION "V"—(Miklethum and Fine)

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Introduction, first reading, 420.

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Returned to Senate (indefinitely postponed), 1243.

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 Signed by President, 1379.
 Filed with Secretary of State, 1525.

SENATE CONCURRENT RESOLUTION "X"—(Fine and Micklethun)

Memorializes Congress to Make Appropriation for Shelterbelt.

Introduction, first reading, 500.
 Reference, 501.
 Reported back, 824.
 Amended, 824.
 Adopted, 1034.
 Sent to House, 1038, 1444.
 Returned to Senate, 1310, 1491
 Signed by President, 1440.
 Filed with Secretary of State, 1525.

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 Reference, 543.
 Reported back, 587.
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 Signed by President, 1322.
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 Reported back, 824.
 Adopted, 1034.
 Sent to House, 1037, 1327.
 Returned to Senate, 1239.
 Signed by President, 1322
 Filed with Secretary of State, 1525.

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 Adopted, 663.
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Returned to Senate (Indefinitely postponed), 686.
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Returned to Senate, 1435, 1554.
Filed with Secretary of State, 1736.

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Condemning Dealing in Grain Futures.

Introduction, first reading, 812.
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Reported back, 864.
Adopted, 1037.
Sent to House, 1038, 1680.
Returned to Senate, 1614, 1721.
Signed by President, 1676.
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SENATE CONCURRENT RESOLUTION "A-g"—(McDonald and Fine)

Memorializes Congress to Pay \$25.00 Toward Education of Each Child Enrolled.

Introduction, first reading, 889.
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Reported back, 1143.
Adopted, 1248.
Sent to House, 1283, 1680.
Returned to Senate, 1614, 1721.
Signed by President, 1676.
Filed with Secretary of State, 1736.

SENATE CONCURRENT RESOLUTION "A-h"—(Thorson)

Memorializes Congress to Place Embargo on Farm Products.

Introduction first reading, 889.
Reference, 890.
Reported back, 1088.
Adopted, 1135.
Sent to House, 1135, 1444.
Returned to Senate, 1310, 1491.
Signed by President, 1440.
Filed with Secretary of State, 1525.

SENATE CONCURRENT RESOLUTION "A-i"—(Fine and Thorson)

Memorializes Congress to Provide Seed Grain for Farmers.

Introduction, first reading, 1247.
Adopted, 1248.
Sent to House, 1283, 1444.

Returned to Senate, 1310, 1491.
Signed by President, 1440.
Filed with Secretary of State, 1525.

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Birthday Congratulations to Wm. E. Martin, Former Senator.

Introduction, first reading, 1231.
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Signed by President, 1261.
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SENATE CONCURRENT RESOLUTION "A-k"—(Erickson)

Appoints Committee Including Governor, to Consider Feasibility of Closing Some State Institutions.

Introduction, first reading, 1502.
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Introduction, first reading, 1570.
Adopted, 1570.
Sent to House, 1575, 1734.
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Signed by President, 1733.
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SENATE CONCURRENT RESOLUTION "A-m"—(Joint Committee on Employment)

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Introduction and first reading, 1571.
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Sent to House, 1575.
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Signed by President, 1675.
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SENATE CONCURRENT RESOLUTION "A-n"—(Joint
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Introduction and first reading, 1572.

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Signed by President, 1736.

Filed with Secretary of State, 1736.

SENATE CONCURRENT RESOLUTION "A-o"—(Commit-
teen on Employment)

For Extra Help at Close of Session.

Introduction and first reading, 1573.

Adopted, 1574.

Sent to House, 1575, 1680.

Returned to Senate, 1594.

Signed by President, 1675.

Filed with Secretary of State, 1736.

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First reading, 185.
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First reading, 226.
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Signed by President, 1208.

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