

lation of any of the provisions of this act shall work a forfeiture of its franchise and in either case the Attorney General, upon demand of the Public Examiner, shall commence an action for the purpose of annulling the existence of said corporation.

§ 29. PUBLIC EXAMINER EX-OFFICIO SUPERINTENDENT OF BANKS.]
The Public Examiner of North Dakota shall be ex-officio Superintendent of Banks; he shall as often as shall be deemed necessary and proper either in person or by agent duly appointed by him, examine every bank organized under this law; and he or his agent, in case he appoints one, shall have power to make a thorough examination into the affairs of the association, and in so doing may examine any of the officers, agents or clerks thereof on oath, and shall make a full and detailed report in writing of the condition of the association so examined to the Governor of the State, a copy of which report shall be filed in the office of the Secretary of State, which shall be open to all persons doing business with such association. No person shall be appointed to be such agent for said examiner to examine the affairs of any association of which he is a member, and the Public Examiner shall not be directly or indirectly interested in any association or in any way connected with any bank.

§ 30. EMERGENCY.] Whereas, there is an emergency existing in that there is no adequate existing law governing banks and banking, this act shall take effect and be in force immediately from and after the date of its passage and approval.

Approved February 20, 1890.

BOARD OF AGRICULTURE.

CHAPTER 24.

[S. F. 82.]

PROVIDING FOR AN ANNUAL EXHIBIT OF AGRICULTURAL PRODUCTS.

AN ACT to Provide for the Annual Exhibits of the Agricultural, Stock Breeding, Horticultural, Mining, Mechanical, Industrial and other Products and Resources of the State of North Dakota, and to Provide for a State Board of Agriculture.

PREAMBLE.

WHEREAS, It has become necessary to provide for a more complete and efficient exhibit of the production and resources of the State of North Dakota, and

WHEREAS, It is advisable that such exhibits should be held and continued under the management and direction of a State Board of Agriculture, and

WHEREAS, The citizens of Grand Forks have offered and are about to donate to the State of North Dakota for the purpose of such exhibits, eighty acres of land, within one mile of the city of Grand Forks, in the county of Grand Forks, and State of North Dakota, upon the condition that the same shall be forever used for the purpose of such exhibits under the management of said State Board of Agriculture or its successor; now, therefore,

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

§ 1 BOARD, HOW CREATED.] There is hereby created a Department of Agriculture for the promotion of stock breeding, agriculture and horticulture, manufactures and domestic arts, which said department shall be managed by a board styled "State Board of Agriculture," to consist of one person from each judicial district in this State, who shall be appointed by the Governor, by and with the consent of the Senate, and who shall hold their office for two years, or until their successors are appointed and qualified; *Provided, however,* That the first board appointed under the provisions of this act shall hold office only until the next session of the Legislative Assembly, or until their successors shall be duly appointed and qualified. The said State Board of Agriculture shall fill all vacancies occurring therein, except when the Legislative Assembly is in session, and the persons so appointed by said board to fill any such vacancies shall hold office until the next session of the Legislative Assembly following such appointment, at which time the Governor, with the concurrence of the Senate, shall fill all vacancies.

§ 2. CITIZENS TO CONVEY CERTAIN LANDS TO THE STATE.] For the purpose of carrying out the provisions of this act, the citizens of Grand Forks, in the county of Grand Forks, in the State of North Dakota, are hereby empowered and authorized to convey to the State of North Dakota eighty acres of land within one mile of the said city of Grand Forks. Said property when so conveyed shall be held by the State of North Dakota for the following public purposes and no other, viz: For the purpose of exhibiting thereon, under the management of the State Board of Agriculture, or its successors, annually, the agricultural, stock-breeding, horticultural, mining, mechanical, industrial and other pursuits and resources of the State of North Dakota, including proper exhibits of the arts, sciences and all other public displays pertinent to, or attendant upon, exhibitions and expositions of human art, industry or skill.

§ 3. ANNUAL EXHIBITS.] There shall be annually held, under the direction of said State Board of Agriculture, upon the premises so conveyed to the State of North Dakota by the citizens of Grand Forks, for such period as the said board may determine,

such exposition and exhibit of the products of the State of North Dakota aforesaid, as said board may provide, and said board is hereby empowered to make all needful rules and regulations for the government of said expositions in providing for the same, and in providing for, and paying such premiums at such expositions, as they shall deem fit, and in such manner as they shall desire, and to do and exercise, upon said premises, any and all acts, which they may lawfully do, and are empowered to invite the cooperation of any other state, territory or country in said exposition.

§ 4. BOARD OF CONTROL, RULES, ETC.] The custody and control of said premises, together with adjoining property, which may be added thereto, is hereby vested in the State Board of Agriculture, and the general office of said board shall be located and maintained upon said premises, and said board is hereby authorized, required and empowered to maintain said offices upon said premises, wherein shall be contained the property and records of said board; and the entire care, custody, management and control of said premises and structures thereon shall be vested in said board. The said State Board of Agriculture is hereby authorized and empowered to make any and all regulations, rules and provisions, not inconsistent with law, which shall, in their judgment, be necessary or proper for the government, management and control of said premises, and all expositions to be held thereon, and all such needful rules and regulations concerning the government and deportment of the public thereon which may be requisite and proper.

§ 5. GOVERNING PREMIUMS—PROPERTY NOT TO BE INCUMBERED.] Any and all monies expended by said State Board of Agriculture for premiums or exhibits or other displays or which may hereafter be appropriated by the State of North Dakota to said board for such purposes, shall be expended upon and for such expositions and displays as shall be held by the said board upon the premises aforesaid; *Provided, however,* That nothing in this act or in the instrument of donation to the said State of North Dakota, shall be construed or taken as giving said State or said board, or its successors any power or authority to charge or incumber said property at any time in any manner whatever.

(Section 6 appropriating \$5,000 annually, not approved by the Governor.)

§ 7. MEETINGS OF BOARD OF AGRICULTURE—OFFICERS.] The State Board of Agriculture created by this act shall meet annually for the election of officers at Grand Forks, county of Grand Forks, State of North Dakota, in the office of said board on the premises hereinbefore referred to, on second Tuesday of March. At such meeting they shall elect from their own number, a president and vice-president of the board, who shall serve until the next annual election next succeeding their election.

§ 8. SECRETARY, DUTIES OF.] The said board shall also at

ther annual meeting appoint some person, not a member of the board, secretary thereof, and shall fix his compensation, which shall not exceed two hundred (200) dollars per annum, and who shall hold his office during the pleasure of the board. He shall perform all such duties as usually pertain to the office of secretary, or as shall be required of him by said board.

§ 9. TREASURER, DUTIES OF.] Said board shall also appoint at their annual meeting some person, not a member of the board, treasurer thereof, and fix his compensation, which shall not exceed one hundred (100) dollars per annum. He shall give bond in such sum and with such surety as the said board shall require or direct, which bond shall be conditioned upon the faithful discharge of the duties of his office. He shall keep an accurate itemized account of all monies received by him as such treasurer, and also of all monies paid out, and shall make an annual report of all such receipts and expenditures to the board at their annual meeting, or oftener if required by direction of the board.

§ 10. SPECIAL POLICE, HOW APPOINTED.] It shall be lawful for the State Board of Agriculture, at or before the time of holding its annual fair, to select and appoint as many persons to act in the capacity of special police, as may, by the said board be deemed requisite to insure peace and good order on or about the grounds or place of holding such fair, for and during the holding of the same; *Provided*, That such persons, before entering upon the duties of special police shall receive their authority from, and take the oath of office before any judge or justice of the peace holding his office in the town or municipal corporation most contiguous to the fair grounds or place of holding such fair, and shall receive from such judge or justice of the peace, a certificate under seal of their appointment to act as such special police, which shall be indicated by some appropriate badge of office, and when so authorized they shall be clothed with full police powers.

§ 11. PENALTY FOR TRESPASS.] Whoever trespasses on any fair grounds to commit any depredations upon the property of any agricultural society by cutting or destroying any timber or trees, breaking or carrying away any box, trough, stall, bench, fence, lock, door, gate, lumber or other appurtenances to any fair grounds whether within or without the enclosure thereof, shall be fined not less than five (5), nor exceeding two hundred (200) dollars, and shall be liable civilly for all damages sustained by such unlawful acts. For the purpose of judicial proceedings the fair grounds and precincts thereof shall be deemed to be within and part of the county of Grand Forks, and the courts of said county shall have jurisdiction of all the crimes and offenses committed within the same.

§ 12. POWERS OF BOARD—STATE NOT LIABLE FOR DEBTS.] The State Board of Agriculture, in its name, may contract and be contracted with, may purchase, hold or sell property, may sue or be

sued, in all courts or places; but this State shall never be liable for any debt or contract of said board.

§ 13. "FAIR" CONSTRUED.] Wherever the word "fair" occurs in this act, it shall be held to mean a *bona fide* exhibition of the four principal classes of live stock together with agricultural and horticultural products and mechanical arts.

§ 14. COMPENSATION OF OFFICERS.] The officers and members of the board, except the secretary and treasurer, shall serve without pay; but shall receive mileage at the rate of ten (10) cents per mile, one way from their home to the place of meeting of the society, which shall be paid by the State Treasurer, upon a warrant issued and certified by the President of the State Board of Agriculture.

§ 15. ANNUAL REPORTS.] The State Board of Agriculture shall make an annual report to the Governor of the State of North Dakota. Said report shall contain a full and complete review of the work performed by said board, and the acts and doings thereof, and no other annual report shall be made by said board. The said annual report shall be delivered to the Governor on or before the fifteenth day of December in each year.

§ 16. REPORTS TO BE PUBLISHED—APPROPRIATION.] Said State Board of Agriculture shall append to and publish with its report, the annual report of the State Entomologist, and such other reports and essays connected with agriculture, horticulture, manufactures or the domestic arts, as, in the judgment of the said board, the interests of the State require; said annual report and appended essays not to exceed 700 printed pages, and 1,000 copies of said report shall be printed and published annually in pamphlet form by the public printer of the State at the contract rates; and a sufficient amount of money is hereby appropriated out of the State Treasury to pay for publishing the same.

§ 17. REPEAL.] This act shall repeal and take the place of Article 3, Political Code—Compiled Laws of 1887—entitled "Department of Agriculture," as amended by Chapter 7 of the Session Laws of 1889; and all other acts and parts of acts at variance or in conflict with the provisions of this act are hereby repealed.

Approved March 3, 1890.