
REPORTS, STATE INSTITUTIONS

CHAPTER 245.

[S. B. No. 352—Linde.]

REPORTS STATE INSTITUTIONS AND BOARDS.

AN ACT to Define the Duty of the Heads of State Institutions and State Boards to Make Reports.

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

§ 1. DUTY OF THE HEADS OF STATE INSTITUTIONS AND STATE BOARDS TO MAKE REPORTS.] It shall be the duty of every head of all state institutions and state boards to set forth, in their annual or biennial report required by law, a list of all persons in the employ of the institution or board, which list shall give the name of each person drawing a salary at such institution, or from such board, the amount of salary and other emoluments drawn, the fund or funds from which drawn, and the number of installments per annum in which such salary is drawn.

§ 2. EXEMPTION FROM OPERATION OF STATUTE.] Section 73 of the Revised Codes of 1905 shall not operate to affect this statute.

§ 3. EMERGENCY.] There being no law at this time which compels a disclosure of the name and amount paid to various officers and employees of state institutions and state boards, and no way of determining the amount paid, or from what funds paid, this law shall be in force from and after its passage and approval.

Approved March 10, 1913.

CHAPTER 246.

[S. B. No. 175—Davidson.]

REPORTS OF STATE OFFICERS AND INSTITUTIONS.

AN ACT to Amend Section 73 of the Revised Codes of 1905, Relating to Reports of Officers, Departments, Boards, Commissioners and State Institutions by Law Required to Be Made to the Governor and the Legislative Assembly of the State, Requiring the Person or Persons Having Contracts for Printing with the State to Execute a Bond, Providing a Penalty for Failure to Make, Transmit and Print Such Reports at the Time Required, and Repealing All Existing Provisions of Law Inconsistent Herewith.

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

§ 1. AMENDMENT.] That Section 73 of the Revised Codes of 1905 be amended to read as follows:

§ 73. REPORTS OF GOVERNOR AND LEGISLATIVE ASSEMBLY TO BE MADE, HOW, WHEN.] All officers, departments, boards, commissions and state institutions which are now or hereafter may be by law required to make and transmit reports annually, or semiannually, to the Governor and the Legislative Assembly of this state, shall deliver typewritten copies in triplicate of such reports to the Governor not later than September first of the year in which such reports are required to be made, and such reports shall be made to include the 30th day of June next preceding. The Governor, upon receiving such reports, shall deliver the same to the commissioners of public printing. The commissioners of public printing shall, not later than October 15th of the year in which such reports are delivered to them, deliver the same revised and condensed as hereinafter provided to the person or persons having contracts with the state for the printing and publishing of the same. The Governor shall lay such printed reports before the Legislative Assembly at its next session, together with his biennial message, *provided* that the Governor and the commissioners of public printing shall revise and condense all such reports so as to eliminate from any such report when published, any and all matter the elimination of which will not seriously detract from the usefulness of such reports, and they shall also in the interest of strict economy restrict the number of such reports to be printed, any provision of law relating to the number of such reports to be printed to the contrary notwithstanding. The governor shall retain one copy of each report filed with him, shall deliver one copy to the commissioners of printing for their files, and one copy shall be filed by him with the secretary of state.

§ 2. BOND.] Before any contract for the printing of the reports of officers, departments, boards, commissions and state institutions contemplated in this act are let and entered into with any person or persons, the Governor and the commissioners of public printing shall require such person or persons to furnish a bond to the state of North Dakota, in an amount which in their judgment shall seem reasonable and sufficient to protect the interests of the state, such bond to be conditioned upon the faithful performance of all the terms of such contract, and it shall be stipulated in each and every one of such contracts for the printing of the reports contemplated in this act, that time of delivery of the printed report shall be the essence thereof. All contracts with any person or persons for the printing of the reports herein referred to shall contain a stipulation that such reports shall be printed and delivered to the commissioners of public printing not later than the 20th day of December following the date on which such reports were delivered to such person or persons to be printed as provided by law.

§ 3. PENALTY.] Any officer, department, board, commission or state institution which is now, or hereafter may be required to make a report annually or biennially to the Governor and the Legislative Assembly of this state, failing to make such report at the time prescribed in this act shall be fined five dollars for each and every day such report shall be delinquent, and in case such report is required to be made by a board or by a commission, the fine imposed herein shall be paid by the secretary thereof, and in case the report herein required to be made shall be that of the department of the state government or of a state institution, the executive head of such department or state institution shall pay such fine. In case the commissioners of public printing omit or neglect to transmit the reports contemplated in this act to the person or persons having contract with the state for printing the same on or before the 15th day of October of the year in which such reports are made to the Governor and the Legislative Assembly, then each of the said commissioners of public printing shall forfeit to the state the sum of five dollars for each and every day during which they shall hold such reports after the 15th day of October as provided herein.

§ 4. REPEAL.] All provisions of law prescribing the time when the report of officers, departments, boards, commissions and state institutions required to be made to the Governor and the Legislative Assembly shall be made, which are in conflict with the provisions of this act, relative to the time of making such reports, are hereby repealed, and all reports shall be made at the time prescribed herein.

This act shall not be construed to repeal any of the provisions of any existing law relating to such officers, departments, boards, commissions, or state institutions, excepting such provisions relative to the time of making the reports to the Governor and the Legislative Assembly, required by law to be made, as are in conflict with the provisions of this act fixing the time when said reports shall be made, transmitted to the person or persons having contracts with the state for printing of the said reports, and delivered by said person or persons, when printed, to the commissioners of public printing.

Approved March 10, 1913.

SALE OF MERCHANDISE

CHAPTER 247.

[H. B. No. 417—Lindstrom.]

SALES AND ASSIGNMENTS.

AN ACT to Amend and Re-enact Chapter 221 of the Session Laws of North Dakota for 1907, Entitled "An Act Providing for the Giving of Notice by Merchants to Their Creditors Before Making Sale of Their Entire Stock or Business."

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

§ 1. AMENDMENT.] Chapter 221 of the Session Laws of the State of North Dakota for 1907 is hereby amended and re-enacted to read as follows:

§ 2. The sale, transfer or assignment, in bulk, of any part or the whole of a stock of merchandise, or merchandise and fixtures pertaining to the conducting of said business, otherwise than in the ordinary course of trade and in the regular prosecution of the business of the seller, transferrer or assignor, shall be void as against the creditors of the seller, transferrer, assignor, unless the seller, transferer, assignor and purchaser, transferee and assignee, shall, at least five days before the sale, make a full detailed inventory, showing the quality and, so far as possible with exercise of reasonable diligence, the cost price to the seller, transferrer and assignor of each article to be included in the sale; and unless the purchaser, transferee and assignee demand and receive from the seller, transferrer and assignor a written list of names and addresses of the creditors of