

HABITUAL DRUNKARDS.

CHAPTER 68.

[S. B. No. 99.]

TREATMENT OF DRUNKARDS.

AN ACT to Provide for the Treatment and Cure of Habitual Drunkards.

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

§ 1. METHOD OF PROCEDURE.] Any inhabitant of this State who is of kin to, or a friend of an habitual drunkard as hereinafter defined, may petition the board of county commissioners of the residence of such drunkard, for leave to send such drunkard, at the expense of the county, to any reputable institute for the treatment of drunkenness, designated by a committee of three persons to be appointed by the Governor; which petition shall set forth the name, age and condition of such habitual drunkard; that such drunkard or those of his kin petitioning are not financially able to incur the expense of such cure, and shall set forth that such habitual drunkard is willing and has agreed to attend such institute for the cure of drunkenness, which petition shall be verified by the person making such request, and shall contain, in addition thereto, the written agreement of such habitual drunkard, his desire to take such treatment, and the names of three reputable taxpayers in the county where such habitual drunkard resides, stating that they are familiar with the facts set forth in the petition, and that they are familiar with the financial circumstances of the drunkard and of the petitioning kin or friend and think it a proper case of assistance from the county commissioners.

§ 2. DUTIES OF COUNTY COMMISSIONERS.] When such petition is filed, the board of county commissioners shall, if satisfied from their examination that the facts set forth in the petition are true, that he has been a resident of the county for six months, and that such drunkard, of his own free will, desires to take such treatment, send such habitual drunkard to some reputable institute for the treatment of such disease, that will treat the same at the lowest figure; but such board of county commissioners shall not be compelled to send such person to the institute making the lowest bid, unless, in their judgment, the best interest of such drunkard shall be promoted thereby, and the said board of county commissioners shall make an order that the expense for the treatment be paid out of the county treasury in the manner that other claims and bills of said county are paid; *Provided, however, that*

the cure and treatment of such drunkard shall at all times be under the supervision of the board of county commissioners, who may at any time they see proper, stop the treatment of any such drunkard, or change him from one institute to another, as to them shall seem meet and proper; *Provided*, that no county shall be required to send the same person to any such institute a second time at its expense.

§ 3. DRUNKARD DEFINED.] A drunkard, as defined by this act, shall include all persons who use or abuse alcoholic, spirituous, malt, fermented or intoxicating liquors, morphia, laudanum, cocaine, opium or other narcotics to such a degree as to deprive him or her of a reasonable degree of self-control.

§ 4. MAY REIMBURSE THE COUNTY.] Any person who shall be treated for such addictions of the provisions of this act, and who may desire to reimburse the county, at whose expense he has been treated, may tender the county treasurer of said county the amount expended for his treatment, and said treasurer shall give a receipt for the amount so paid, which receipt shall state that such payment is for reimbursement as aforesaid, and the amount so paid shall be covered into the treasury of the county.

Approved, March 6, 1895.

HERD LAW.

CHAPTER 69.

[S. B. No. 86.]

ABOLISHING HERD LAW.

AN ACT to Provide for the Abolishment of the Provisions of Chapter 38 of the Code of Civil Procedure, Entitled "Herd Law," in Counties Where a Majority of the Qualified Electors so Elect; to Provide for an Election Upon the Question of Such Abolishment, and to Establish a Fence Law in Such Counties.

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

§ 1. COUNTY COMMISSIONERS SHALL ORDER AN ELECTION—HOW CONDUCTED.] The board of county commissioners of any county shall, whenever they shall be presented with a petition signed by one-third of the qualified electors of said county, asking that the provisions of Chapter 38 of the Code of Civil Procedure be abolished therein, order an election to be held, at which election the qualified electors of such county shall vote upon the question of abolishing the provisions of Chapter 38 of the Code of Civil Procedure in such county. Such election shall be in all respects