

§ 4. LICENSES EXPIRE APRIL 30 EACH YEAR.] Upon the filing of an application for a license and the treasurer's receipt for the fee in the office of the county auditor, he shall issue a license, under seal, signed by himself or his deputy. Such license shall authorize the licensee to pursue the business of a peddler or traveling merchant in the manner stated therein in the county where it is issued for the term therein stated. All licenses shall expire on the thirtieth day of April of each year. If such license is not taken out during the month of May, the fee therefor shall be reckoned proportionately for that part of the year from the first day of the month in which it is issued to the first day of May following, but no license shall be issued for a fee of less than \$5.

§ 5. PENALTY FOR VIOLATION.] Any person who shall pursue the business of trading as a peddler or traveling merchant without license, or who refuses to produce his license for examination upon the request of any resident or officer of the county in which he is carrying on such business is guilty of a misdemeanor, and upon conviction thereof is punishable, in the discretion of the court, by a fine of not exceeding fifty dollars or by imprisonment in the jail of the county in which the offense is committed not exceeding thirty days.

§ 6. LAW CONSTRUED.] Nothing contained in this act shall be so construed as to impair, interfere with, or take away the right of incorporated towns, villages or cities to license and regulate peddling within their corporate limits.

§ 7. EMERGENCY.] There being no existing law adequately regulating the matter of peddling and licenses, *Therefore*, An emergency is hereby declared to exist and this act shall be in force from and after its passage and approval.

Approved, March 19, 1895.

PENITENTIARY.

CHAPTER 86.

[H. B. No. 149.]

IMPROVEMENTS OF PENITENTIARY.

AN ACT Authorizing the Board of Trustees of the Penitentiary of this State to Employ the Inmates of the Penitentiary in Manufacturing of Brick and Constructing Public Improvements.

Whereas, It is necessary to furnish some employment to those confined in our State penitentiary to maintain proper discipline.

And Whereas, As there is a constant and growing demand for improvements for our State institutions, *Therefore*,

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

§ 1. EMPLOYMENT OF CONVICT LABOR.] That the board of trustees of the penitentiary of this State is hereby authorized and empowered to employ the convict labor of the State, or so much thereof as cannot be preferably otherwise employed, in the manufacture of brick, with which they are to make needed repairs, additions or improvements on the public buildings of the State.

§ 2. TRUSTEES MAY PURCHASE TOOLS AND MACHINERY.] For the purpose of enabling the carrying out of the provisions of this act, the trustees of the State penitentiary are hereby authorized to purchase such tools and machinery as they may deem necessary.

§ 3. IMPROVING ROADS AND STREETS.] The trustees of the State penitentiary are authorized and empowered to employ so much of the convict labor as they may deem necessary in macadamizing or otherwise improving the roads and streets used as approaches to the State penitentiary, State capitol or other public institutions within the State, and in making such improvements the said board of trustees are authorized to contract indebtedness not to exceed one thousand (1,000) dollars in any one year, which shall be paid out of whatever money or moneys that may be received from any contract or contracts now existing or that may hereafter be made for the employment of convict labor.

§ 4. RECEIPTS OF SALES.] The board of trustees shall dispose of said brick manufactured as in this act provided, as they may be directed by the Governor, State Auditor, and Secretary of State, who are hereby created a board with authority to dispose of any brick manufactured by convict labor, according to their best judgment, and for the interests of the State, at such prices as said board may provide. The receipts of such sales shall be turned over to the trustees aforesaid and used in payment of expenses incurred in connection with the manufacturing of brick or building, or improving roads and streets as hereinbefore provided.

§ 5. EMERGENCY.] *Whereas*, An emergency exists in that there is now no law authorizing the employment of convict labor as in this act provided; *Therefore*, This act shall take effect and be in force from and after its passage and approval.

Approved, March 6, 1895.