

less than two nor more than five years. Said report shall be made in duplicate and one copy immediately mailed to the state oil inspector and the other to the treasurer. It shall be the duty of each deputy to pay over to the state oil inspector quarterly, or oftener if required by him, all fees collected and other moneys received by virtue of his office, taking his receipt therefor.

§ 3. QUARTERLY PAYMENTS.] It shall be the duty of the state oil inspector to pay over to the state treasurer quarterly all moneys received for the inspection of oils and all moneys received from all other sources by virtue of his said office, taking the receipt of the treasurer therefor.

§ 4. NO OTHER COMPENSATION.] The deputy oil inspectors shall be paid by the state oil inspector and shall receive no other compensation for services performed by virtue of their said office, except in case mileage is collected as provided in section 5 of this act.

§ 5. PORTS OF ENTRY.] All illuminating oils when shipped into the state shall be inspected on entering the state. The following points being designated as ports of entry: Fairmount, Wahpeton, Fargo, Grand Forks, Oakes and Ellendale. For making inspection at other than said points the inspector or his deputies shall be entitled in addition to fees prescribed to mileage at the rate of 10 cents per mile for each mile actually travelled. Such mileage to be paid by the party for whom inspection is made, and to be retained by inspector or deputy making inspection.

§ 6. REPEAL.] All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Provided, also, that this act shall not apply to the oil inspector appointed by the present governor.

Approved March 8, 1899.

PEDDLING.

CHAPTER 118.

[S. B. 99.]

LICENSING OF PEDDLERS.

AN ACT Entitled "An Act Taxing the Occupation of Hawking and Peddling, and Regulating the Licensing of Persons Engaged in Such Occupation."

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

§ 1. UNLAWFUL TO PEDDLE WITHOUT LICENSE.] It shall be unlawful for any person to travel from place to place in any county within this state for the purpose of carrying to sell, or exposing or

offering to sell, barter or exchange, any goods, wares, merchandise, or other property whatsoever, without first obtaining a license therefor from the auditor of said county.

§ 2. APPLICATION IN WRITING.] Each person desiring to obtain a license as a peddler, shall make application in writing to the county auditor of the county in which he desires to peddle, which application shall be signed by the applicant, and shall state in what manner the applicant desires to travel as a peddler, whether on foot or with one or more horses or other beasts of burden.

§ 3. AMOUNT TO BE PAID INTO COUNTY TREASURY.] Each applicant, before he shall be entitled to such license, shall pay into the county treasury of the county where such application is made, the following sums respectively as and for the taxes due from him on account of the pursuit of the occupation of peddling, to-wit: If for a license to travel on foot the sum of \$25.00; if for a license to travel and carry his goods with a single horse, or other beast carrying or drawing a burden, the sum of \$100.00; if for a license to travel with a vehicle or carriage drawn by two or more horses, or other animals, the sum of \$50.00. Said license shall authorize the holder thereof to pursue within said county the business of hawking and peddling in the manner set forth in said license for the period of one year from the date of its issue, and no longer.

§ 4. COUNTY AUDITOR SHALL GRANT LICENSE FOR ONE YEAR.] The county auditor upon the filing of such application together with the treasurer's receipt for the proper license fee, shall grant such applicant a license under his official seal authorizing such licensee to travel and pursue the business in the manner stated in his application, for the term of one year from the date of the issuance of such license.

§ 5. AUDITOR SHALL MAKE A RECORD.] It shall be the duty of the county auditor issuing a license under this act to make a record of the same including the date when issued, the name of the person receiving the license, the purpose for which issued, and the amount received therefor.

§ 6. PENALTY FOR VIOLATION.] Any person found traveling or trading in any county in this state contrary to the provisions of this act, or who shall refuse to produce his license for examination when requested so to do by any resident or officer of the county in which said person shall be traveling as a peddler, shall be deemed guilty of a misdemeanor and upon conviction thereof punished by a fine not exceeding \$50.00, or by imprisonment in the county jail where the offense was committed, not exceeding thirty days, or by both.

§ 7. HOW CONSTRUED.] Nothing contained in this article shall be so construed as to impair, interfere with or take away any existing rights or authority of incorporated cities, towns and villages to license and regulate peddlers within their incorporated limits.

§ 8. EMERGENCY.] Whereas, an emergency exists requiring that this act shall take effect immediately, it is hereby declared that

this act shall take effect and be in force from and after its passage and approval.

Approved February 24, 1899.

PENITENTIARY.

CHAPTER 119.

[H. B. 18.]

OFFICERS AND TRUSTEES.

AN ACT Entitled an Act to Amend Section 8531 of the Revised Codes of 1895 and to Repeal Section 8538 of said Codes, Relating to the Officers and Trustees of the State Penitentiary.

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

§ 1. AMENDMENT.] That section 8531 of the Revised Codes of 1895 be amended so as to read as follows:

The officers of the penitentiary shall be one warden, who shall be its general superintendent and secretary of the board of trustees; one deputy warden, who shall be chief turnkey; one bookkeeper, who shall be assistant gatekeeper; one, or in the discretion of the board of trustees and warden, two chaplains, and such other officers, guards, overseers, agents and employes as may be necessary. The warden and deputy warden shall reside at the penitentiary.

§ 2. REPEAL.] That section 8538 of the Revised Codes of 1895 and any and all other provisions of law in conflict with the foregoing be and the same are hereby repealed.

§ 3. EMERGENCY.] An emergency exists in that there is no law covering parts of the foregoing and, therefore, this act shall take effect and be in force from and after its passage and approval.

Approved February 21, 1899.