

LIVE STOCK.

CHAPTER 121.

[S. B. 208.]

INSPECTING AND SHIPPING LIVE STOCK.

AN ACT Concerning the Inspection of Live Stock Before Shipment, Creating the Office of Stock Inspector and Prescribing His Duties and Compensation.

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

§ 1. STOCK INSPECTOR.] Whenever the board of county commissioners in any county are petitioned so to do by at least ten per cent of the voters of their county, as evidenced by the number of votes cast for congressman at the last general election, they may appoint the sheriff of their county as live stock inspector, and when so appointed, the said sheriff shall perform the duties and receive the compensation therefor as hereinafter prescribed by this act.

§ 2. INSPECTION BEFORE SHIPPING.] It shall be the duty of said stock inspector to inspect all horses and cattle of which he has knowledge are about to be loaded for shipment, or to be driven or shipped out of the county in which he resides, to any other point within the state or to a point outside the state, before the same is shipped.

§ 3. Said inspector shall make and keep a record in his office in a book expressly for that purpose, which record shall be open to the public; and shall contain: First, the marks and brands upon each of said animals, and second, if no marks or brands appear thereon he shall take a general description of the same; third, the owner of said stock, if ascertainable, and if not, he shall so state in his record; fourth, the person in whose name said animals are shipped; fifth, the name of the person in charge of the same; and sixth, the point of destination, together with such other information as may assure the inspector that the person shipping or driving is the owner, or has lawful right to ship or drive the same. If the inspector shall be satisfied from his inspection that the person shipping or driving said animals is the owner or has lawful right to ship or drive the same, he shall, on payment of the fees hereinafter prescribed, give to such person a permit to ship or drive said live stock, which permit shall be in writing and shall set forth the number and description of the animals.

§ 4. UNLAWFUL TO SHIP WITHOUT PERMIT.] It shall be unlawful for any person or persons to cause to be shipped, or driven, any live stock from any county in this state to any other county therein, or to a point without said state, without such person or persons first notifying

the said stock inspector of the proposed shipment or driving, and requesting that an inspection of the animals to be shipped or driven be made, and until the permit shall have been issued as specified in this act, no railway or transportation company shall ship any such stock until said permit shall have been issued. But the said stock inspector may at his discretion issue a written permit to drive stock from one county to another within this state without any personal inspection or fees.

§ 5. INSPECTOR'S FEES.] The said stock inspector shall be entitled to demand and collect the following fees for inspection, viz.: Ten cents per head for horses and five cents per head for cattle, and he is hereby given a lien upon said animals for such inspection fees, and mileage at the rate of ten cents per mile for each mile actually traveled in going to and returning from the place of inspection.

§ 6. Any person who shall ship any horses or cattle from any county in this state without having first procured the inspection of said stock and received a permit authorizing said shipment, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than fifty dollars, nor more than two hundred dollars, or imprisonment in the county jail for not less than thirty days, nor more than six months, or by both such fine and imprisonment.

§ 7. EMERGENCY.] Whereas, there is now no law in this state providing for the inspection of live stock about to be shipped, and many shipments of such live stock will be made long prior to July 1, 1901, therefore an emergency exists and this act shall be in force and effect from and after its passage and approval.

Approved March 12, 1901.

CHAPTER 122.

[H. B. 198.]

HANDLING LIVE STOCK IN TRANSPORTATION.

AN ACT Fixing a Penalty for any Corporation, Association, Person or Persons, for in Any Manner Interfering With, or Hindering, Any Person in Charge of Any Live Stock Being or About to be, Transported Over Any Railway in This State, in Furnishing the Feed or Bedding in Cars or at Any Feeding Station in This State.

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

§ 1. LIVE STOCK. INTERFERING WITH PERSON IN CHARGE OF.] It is hereby made unlawful for any corporation, association, person or persons, to in any manner interfere with or hinder any person who may be in charge of live stock which is being, or about to be, transported in this state upon any railway, in feeding or furnishing feed or bedding for said stock in cars or at any feeding station in this state;

provided, that the said person or persons in charge of said stock shall feed or furnish such feed or bedding within a reasonable time.

§ 2. PENALTY.] That any corporation, association, person or persons violating any of the provisions of section 1 of this act shall be guilty of a misdemeanor.

Approved March 12, 1901.

CHAPTER 123.

[S. B. 47.]

WHEN LAWFUL FOR STOCK TO RUN AT LARGE.

AN ACT to Amend Section 1549 of the Revised Codes of 1889, Relating to Time When Lawful for Stock to Run at Large.

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

§ 1. AMENDMENT.] That section 1549 be amended to read as follows:

§ 1549. WHEN LAWFUL FOR STOCK TO RUN AT LARGE.] It shall be lawful for cattle, horses, mules, ponies, swine, goats and sheep to run at large from the first day of December until the first day of April each year, except within the corporate limits of any city or village; provided, that no stallion or vicious bull or any other animal known to be vicious, shall be allowed to run at large at any time; but nothing in this code shall be construed to repeal any special act establishing a fence law for any county in this state.

§ 2. COUNTY COMMISSIONERS SHALL VOTE ON THE ABOLISHING OF THE PROVISIONS OF THIS LAW. HOW CONDUCTED.] The board of county commissioners of any county shall, whenever they deem it advisable, vote upon the question of abolishing the provisions of this law in such county.

Such vote shall be in all respects conducted by said board of county commissioners in their regular meeting and according to the provisions of the law.

§ 3. WHEN THE PROPOSITION SHALL BE SUBMITTED TO VOTE. HOW CONDUCTED.] Whenever the county commissioners shall have voted it is unlawful for stock to run at large, then at the next general election, but at no other time, this question shall be submitted to vote of the people, and the order of the board of county commissioners for such election shall be made at least sixty days before such election is held, and notice of such election shall be given in the same manner and for the same length of time as notices of all general elections.

§ 4. LAW. WHEN ABOLISHED.] The ballots to be used at such elections shall be in the following form:

“Lawful for stock to run at large” and “against lawful for stock to run at large.”

In voting on the question, each voter must place at the right of the proposition he favors, the mark X. If a majority of the ballots cast at such election is against “lawful for stock to run at large” the provisions of this law shall be thereby abolished in such county.

§ 5. WHEN THE PROPOSITION MAY BE SUBMITTED AGAIN.] At any subsequent general election, but at no other time, after an election has once been held under the provisions hereof, the question of re-establishing the provisions of this law within any county having abolished the same, may be again submitted by the board to a vote of the qualified electors thereof, to be voted upon in the same manner as hereinbefore provided for the first election. The result of any election held under the provisions hereof shall remain in force until changed at some subsequent election held hereunder.

§ 6. EMERGENCY.] Whereas, an emergency exists in that there is no law preventing “stock to run at large,” therefore, this act shall take effect and be in force on and after its passage and approval. Provided, further, than any county wherever it is lawful for stock to run at large, none of the provisions of chapter 42 of the Code of Civil Procedure shall apply in such county.

Approved March 5, 1901.

MARKS AND BRANDS.

CHAPTER 124.

[S. B. 11.]

MARKS AND BRANDS.

AN ACT to Amend Sections 1536, 1537, 1538, 1542 and 1543 of the Revised Codes of North Dakota, Relating to the Recording of Marks and Brands, and for the Transferring of All Record of Marks and Brands Now in the Secretary of State's Office to the Commissioner of Agriculture and Labor.

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

§ 1. AMENDMENT.] That sections 1536, 1537, 1538, 1542 and 1543 of the Revised Codes be amended and re-enacted to read as follows:

§ 1536. OFFICE FOR RECORDING BRANDS.] A general office for recording marks and brands, shall be maintained at the seat of govern-