

§ 15. PROVISIONS REGARDING FILLED CHEESE.] No person, by himself or his agents or servants, shall sell or offer for sale or make or manufacture out of any oleaginous substance or substances or any compound of the same or any other compound other than that produced from unadulterated milk, any article designed to take the place of cheese, produced from pure milk or any article termed "filled-cheese," shall stamp each package of the same on the top and side with lampblack and oil the words "filled-cheese" or words that shall designate the exact character and quality of the product in printed letters at least one inch long and one-half inch wide.

§ 16. CITY COUNCILS MAY PROVIDE FOR INSPECTION OF MILK AND DAIRY HERDS.] The council of any city or incorporated town may, by ordinance, provide for the inspection of milk and of dairies and of dairy herds kept for the production of milk within its limits and issue licenses for the sale of milk within its limits and regulate the same and may authorize and empower the board of health to enforce all laws and ordinances relating to the production and sale of milk and the inspection of dairies and dairy herds producing milk for sale within such city.

§ 17. VIOLATION CONSTITUTES MISDEMEANOR. PENALTY.] Whoever violates any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished for each offense by a fine of not less than five dollars nor more than fifteen dollars, or by imprisonment of not less than ten days nor more than thirty days, or both.

§ 18. REPEAL.] All acts and parts of acts inconsistent or in conflict with the provisions of this act are hereby repealed.

§ 19. EMERGENCY.] This act shall take effect and be in force from and after its passage and approval.

Approved March 16, 1905.

DIPPING TANKS.

CHAPTER 96.

[H. B. No. 17—Duncan.]

PUBLIC DIPPING TANKS.

AN ACT to Provide for the Establishment, Construction and Maintenance of Public Dipping Stations for Live Stock in the Various Counties of the State.

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

§ 1. COUNTY COMMISSIONERS MAY ESTABLISH PUBLIC DIPPING TANKS ON PETITION OF TEN PER CENT OF FREEHOLDERS OF COUNTY.

COST TO BE PAID FROM GENERAL FUND. WORK TO BE MADE CO-OPERATIVE.] That in any county of the state on the presentation of a petition signed by at least ten per cent of the freeholders of said county, to the board of county commissioners of such county, petitioning for the establishment and construction of public dipping stations for livestock within such county, the board of county commissioners of such county shall within ninety days from the presentation of such petition proceed to establish and construct under the supervision of the district veterinarian in whose district such stations may be located, public dipping stations at convenient places within such county. The cost of such stations shall be paid from the general fund, and warrants drawn on the county treasurer for such work shall be paid only when signed by the county auditor and approved by the board of county commissioners of such county. In the construction of such dipping stations it shall be the duty of the county commissioners to make the work co-operative among farmers or live stock owners as far as possible, and give to the farmers or live stock owners credit against dipping charges for necessary labor performed, it being the purpose of this act to have this work done in the most efficient manner by those most interested in maintaining a good standard of health in the flocks and herds of the community interested, at the least expense; which cost shall be paid from the general funds of such county.

§ 2. COUNTY COMMISSIONERS SHALL APPROPRIATE NECESSARY AMOUNT FOR PURCHASE OF MATERIAL AND CHEMICALS UNDER DIRECTION OF DISTRICT VETERINARIANS.] The board of county commissioners of such county shall upon the establishment of such dipping station or stations appropriate the necessary amount of money under the directions of the district veterinarian for the purpose of purchasing material and chemicals used in the operation of such stations.

§ 3. COMMISSIONERS SHALL LEVY PRO-RATA DIPPING FEE.] The board of county commissioners shall, in their discretion, levy a dipping fee pro rata, in no case to exceed the actual cost to the county, for material and labor used in constructing and operating such station.

§ 4. FEE SHALL BE CHARGED AGAINST OWNER, AGENT OR PERSON IN CHARGE AND BECOME A LIEN AGAINST STOCK. IF UNPAID SHERIFF SHALL FORECLOSE. FEES TO BE PAID TO COUNTY TREASURER.] The fee for dipping such animals shall be charged against the owner, agent, or person in charge of such animals and together with the cost of seizure and the expense of holding thereof become a lien upon such animals and if not paid within five days from the dipping of such animals, the same shall be foreclosed by the sheriff of such county, the same as any other lien upon personal property. All fees collected under this act shall be paid in to the county treasurer and placed in the general fund.

§ 5. FORMULA OF U. S. BUREAU OF ANIMAL INDUSTRY TO BE USED FOR DIPPING SOLUTION.] The dipping solution used in operating such station or stations shall be in accordance with the rules and formulas adopted by the United States bureau of animal industry.

§ 6. DUTY OF DISTRICT VETERINARIAN.] The district veterinarian acting with the board of county commissioners of such county, or the person by them designated to oversee and superintend such dipping station or stations and the dipping thereat, shall at the completion of such dipping and the payment of the fees hereunder charged issue a certificate to the owner, agent, or person in charge of such animals certifying to such dipping, which certificate must contain the date of such dipping, the number and kind of such animals so dipped, the formula of the solution used in such dipping thereunto attached, stating the amount of fees so charged and collected for such dipping.

§ 7. REPEAL.] All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

§ 8. EMERGENCY.] Whereas, there is no adequate provision for dipping stations and the operation of the same, therefore, this act shall be in full force and effect from and after its passage and approval.

Approved March 11, 1905.

DRAINS.

CHAPTER 97.

[H. B. No. 47—Arnold.]

DRAINS FROM ONE COUNTY TO ANOTHER.

AN ACT to Amend Chapter 21 of the Political Code of North Dakota, Relating to Drains.

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

§ 1. AMENDMENT.] That chapter 21 of the political code of the state of North Dakota, be and the same is hereby amended by inserting in said chapter, after paragraph 1461 and before paragraph 1462 thereof, the following:

§ 1461a. WHENEVER DEEMED NECESSARY THE BOARDS OF DRAIN COMMISSIONERS OF TWO OR MORE COUNTIES ARE EMPOWERED TO CONSTRUCT DRAINS INTO OR THROUGH SUCH COUNTIES. PETITION TO BE PRESENTED TO THE COUNTY COMMISSIONERS, WHO SHALL DETERMINE THE NECESSITY OF SAME. DRAIN COMMISSIONERS TO APPORTION COST. REPORTS FILED.] Whenever it shall be deemed necessary by the boards of drain commissioners of two or more counties in this state, to construct or extend a drain through or into two or more counties in this state, it shall be lawful and the several boards of drain commissioners in the counties into or through which such proposed drain may extend when completed, are empowered to establish, construct and maintain such drain through or into two or more counties in