

## APPROPRIATIONS

---

### CHAPTER 7.

[S. B. No. 219—Steele]

---

#### WORK OF STATE HUMANE AGENT.

AN ACT Making an Appropriation to Meet the Deficiency Incurred by William Blake of Stutsman County, North Dakota, in Carrying on the Work of State Humane Agent.

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

§ 1. APPROPRIATION.] There is hereby appropriated out of any funds in the state treasury not otherwise appropriated the sum of seven hundred eighty dollars and sixty cents (\$780.60), or so much thereof as may be necessary to pay such expenses actually incurred by William Blake of Stutsman County, North Dakota, in the performance of his duty as State Humane Agent from November 4, 1909, to January 1, 1911, as may be audited and allowed by the State Auditing Board.

§ 2. EMERGENCY.] Whereas, an emergency exists, in this, that the expenses mentioned in this act have been incurred by said William Blake and there is no money otherwise appropriated for the purpose of paying said expenses; therefore, this act shall take effect from and after its passage and approval.

Approved February 21, 1911.

---

### CHAPTER 8.

[S. B. No. 32—Baker]

---

#### APPROPRIATION FOR DEAF AND DUMB SCHOOL.

AN ACT to Provide for the Completion of a School Building and Making Necessary Improvements at the School for the Deaf and Dumb at Devils Lake, North Dakota, and Making an Appropriation Therefor.

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

§ 1. APPROPRIATION.] There is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, the sum of twenty thousand dollars, to provide for the completion of a school building and for making necessary improvements including sewer, tunnel, heating and plumbing, at the school for the deaf and dumb located at Devils Lake, North Dakota.

§ 2. **EMERGENCY.]** An emergency exists from the fact that the fiscal year for which this appropriation is made will not begin until July 1st, and thereby the funds hereby appropriated for the completion of the school building and for the making of the improvements enumerated will be needed before that time. Now therefore, this act will take effect and be in force from and after its passage and approval.

Approved March 17, 1911.

## CHAPTER 9.

[S. B. No. 285—Davis]

**APPROPRIATION FOR A TEMPORARY EDUCATIONAL COMMISSION.**  
AN ACT Establishing a Temporary Educational Commission and Appropriating One Thousand Dollars for the Expenses Thereof.

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

§ 1. For the purpose of studying educational system, both in the United States and elsewhere, with a view to the presentation of a report which will form a basis for the unifying and systematizing of the educational system of this state, including the several secondary schools and higher institutions of learning and the Department of Public Instruction, a commission is hereby created, consisting of the following members, namely: President of the University, President of the Agricultural College, President of Valley City Normal, Superintendent of Public Instruction, Lieutenant Governor, Speaker of the House of Representatives and one other member to be appointed by the Governor within sixty days from the passage of this act.

§ 2. The commission provided for in Section 1, of this act shall report to the Governor and Legislature in December 1912, their findings, accompanied by a bill, which shall contain the recommendations which it is proposed to enact into law, and may make from time to time public reports at their discretion. The members of such commission shall receive no compensation other than actual and necessary expenses. For the purpose of paying such expenses and the expenses of printing, clerical work and travel, there is hereby appropriated the sum of one thousand dollars, or as much thereof as may be necessary, out of any funds in the treasury not otherwise appropriated.

Approved March 17, 1911.

## CHAPTER 10.

[S. B. No. 298—Stevens]

SALARY OF DEPUTY STATE TREASURER AND DEPUTY STATE  
AUDITOR.

AN ACT Fixing the Salary of the Deputy State Treasurer and Deputy State Auditor.

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

§ 1. SALARY OF DEPUTY STATE TREASURER AND DEPUTY STATE AUDITOR.] The salary of the Deputy State Treasurer and the Deputy State Auditor shall be twenty-four hundred dollars per annum each.

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

§ 3. EMERGENCY.] An emergency exists in that at this time there is no provision for the adequate payment for the performance of the duties of the Deputy State Treasurer and the Deputy State Auditor, therefore this act shall take effect and be in force from and after its passage and approval.

Approved March 17, 1911.

## CHAPTER 11.

[S. B. No. 299—Welch]

## REPAIRING CAPITOL BUILDING.

AN ACT Providing for the Making of Necessary Repairs Upon the Capitol Building and Making an Appropriation Therefor.

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

§ 1. REPAIR OF CAPITOL BUILDING. APPROPRIATION.] The board of trustees of public property is authorized and empowered to make such repairs upon the capitol building as may be found necessary, and to defray the expenses incurred in making such necessary repairs, there is hereby appropriated out of any moneys in the state treasury in the fund known as Permanent Fund Capitol Building not otherwise appropriated, the sum of twenty-five thousand dollars, or so much thereof as may be necessary; all claims so incurred to be audited and allowed by the state auditing board and warrants to be drawn upon said fund by the state auditor and paid by the state treasurer out of said fund, as other warrants are paid.

§ 2. EMERGENCY.] An emergency exists in that the capitol building is in need of immediate repair, therefore this act shall be in force and effect from and after its passage and approval.  
Approved March 17, 1911.

---

## CHAPTER 12.

[S. B. No. 328—Davis]

---

### STATE EMPLOYEES' COMPENSATION COMMISSION.

AN ACT To Create a Commission to Investigate and Report to the Legislature of this State, on the First Day of the Legislative Session of 1913, a Bill to Fairly Compensate Employees for Injuries Received in the Course of Employment and Defining the Duties of said Commission, and Making Appropriation Therefor.

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

§ 1. COMMISSION—HOW CREATED.] There is hereby created a commission to be designated and known as the North Dakota Employees' Compensation Commission.

§ 2. APPOINTMENT.] The said North Dakota Employees' Compensation Commission shall be composed of three (3) members who shall be appointed by the governor by and with the consent and advice of the senate.

The three persons first composing said commission shall be appointed within ten (10) days after the passage of this act and before the adjournment of the present legislature, if practicable.

§ 3. TERM OF OFFICE.] Such persons shall hold said office until the end of the general session of the Legislature of North Dakota for the year 1913, but in case of vacancy occurring the governor will fill the vacancy.

§ 4. COMPOSITION OF COMMISSION.] The persons appointed to be members of said commission shall be such as are known to possess knowledge of and training in the subject of compensation of employees for injuries received in the course of employment, one of whom shall be a representative of employers of labor, one a representative of labor, and one learned in the law.

§ 5. OATH OF OFFICE.] Each commissioner shall within thirty days after notice of his appointment, and before entering upon the discharge of his duties, take, subscribe and file with the secretary of state the oath of office prescribed by the constitution of this state.

§ 6. CHAIRMAN.] The said commission may elect its own chairman.

§ 7. SECRETARY.] The said commission shall have a paid secretary who may or may not be a member of said commission.

§ 8. MINORITY REPORT.] If the report hereinafter required is not unanimous, then a minority report shall be made therewith.

§ 9. POWERS AND DUTIES.] It shall be the duty of said commission, and it shall have the power and authority: (a) To have and exercise general supervision over the collection of data and other information to the end that such report as it shall make shall be relatively just and equal and in compliance with the fundamental laws of this state. (b) To cause the particular operation of laws passed by other states and foreign countries to be investigated sufficiently to determine whether the various laws, framed and now in operation upon the matter of compensation of employees, whether under the form of insurance or otherwise, are successful in the particular jurisdiction, with enough of the data and information furnished with the report to point out the weakness and strength of those laws from a practical standpoint, when compared with our own conditions and constitutional system. (c) To make written report to the legislature of this state on the first day of the legislative session of 1913, the results of the information so collected, together with the bill or bills, drafted by said commission, providing a plan for speedy remedy for employees for injuries received in the course of their employment, which will be fair to the employees and the employers and just to the state. (d) Said commission shall have power to employ such help and assistants as it may deem necessary and expedient from time to time, and pay all necessary expenses.

§ 10. COMPENSATION.] No compensation shall be allowed to any of the members of said commission as such, but the necessary expenses incurred by the commission in carrying out the provisions of this act shall be allowed, not to exceed in the aggregate the sum of One Thousand Dollars.

§ 11. The sum of One Thousand Dollars (\$1000.00), or as much thereof as may be necessary, is hereby appropriated for carrying out the purpose of this act.

Approved March 17, 1911.

CHAPTER 13.

[S. B. No. 37—Cashel]

APPROPRIATION FOR INSTITUTION FOR FEEBLE MINDED.

AN ACT to Provide an Appropriation for the Current and Contingent Expenses and for Permanent Improvements for the Institution for Feeble Minded, at Grafton.

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

§ 1. APPROPRIATION.] There is hereby appropriated out of any fund in the state treasury, not otherwise appropriated, for the purpose of paying the current and contingent expenses of and for permanent improvements to the institution for the feeble minded at Grafton, for the period beginning March 1, 1911, and ending March 1, 1913, the sum of one hundred four thousand seven hundred and fifty dollars, or as much thereof as may be necessary, as follows:

For employees' wages, including officers' salaries.....	\$ 3,400
For fuel and lights.....	13,000
For training school, supplies and amusements.....	800
For incidental expenses.....	1,200
For drugs, medicines, etc.....	700
For repairs .....	1,500
For plumbing .....	2,350
For beds and bedding.....	2,000
For furniture .....	1,800
For electrical supplies and repairs.....	1,000
For laundry machinery and repairs.....	2,050
For supplies for engine room.....	800
For paints and painting .....	1,000
For farm implements and machinery.....	200
For stock .....	200
For new fireproof custodial building.....	70,000
For addition to laundry.....	1,000
For addition to barn and well.....	1,250
For a new farm house.....	2,500
<b>Total .....</b>	<b>\$104,750</b>

§ 2. EMERGENCY.] An emergency exists in this, that the biennial period for which this appropriation is made will begin July 1st, 1911, and the funds hereby appropriated will be needed before that time, therefore, this act shall take effect from and after its passage and approval.

## PARTIAL VETO.

Bismarck, March 18, 1911.

To the Honorable, the Secretary of State:

I file herewith senate bill No. 37, an act to provide an appropriation for the current and contingent expenses, and for permanent improvements for the institution for feeble minded at Grafton, with my approval, except as to items:

For incidental expenses.....	\$1,200
For a new farm house.....	2,500

which items are vetoed for the reason that the appropriations exceed the revenues.

JOHN BURKE,  
Governor.

## CHAPTER 14.

[S. B. No. 24—Stevens]

## APPROPRIATION FOR STATE UNIVERSITY.

AN ACT to appropriate Money for Maintenance, Equipment and Permanent Improvements at the State University and School of Mines of North Dakota.

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

§ 1. APPROPRIATION.] There is hereby appropriated the following sums of money, for the biennial period of 1911-1913, out of the moneys in the state treasury not otherwise appropriated, for the purposes enumerated as follows:

For completing the commons building.....	\$ 27,600
For furnishing the commons building.....	5,000
For equipment of engineering college.....	17,000
For maintenance, \$12,500 annually .....	25,000
For reimbursement of maintenance fund for payment on building, Teachers' College, \$6,500; Power House, \$17,500 .....	24,000
For re-wiring and establishment of permanent lighting system .....	12,000
For library, books, magazines.....	5,000
For maintenance of university ground and campus.....	2,500
For extension lectures and courses.....	3,500

For equipment of biology department.....	5,000
For furnishing teachers' college building.....	5,000
For school of mines equipment (burned).....	1,100
For equipment, school of mines.....	9,000
For equipment of chemistry department.....	2,500
For summer session, two years.....	3,000
<b>Total .....</b>	<b>\$147,200</b>

§ 2. EMERGENCY.] Whereas, an emergency exists in that the finishing and furnishing of the commons building provided for herein is a matter of pressing importance; therefore, this act, in so far as it applies to said items, shall take effect and be in force from and after its passage and approval.

PARTIAL VETO.

Bismarck, March 18, 1911.

To the Honorable, the Secretary of State:

I file herewith senate bill No. 24, an act to appropriate money for the maintenance, equipment and permanent improvements at the state university and school of mines of North Dakota, with my approval, except as to item of \$12,000 for re-wiring and establishment of permanent lighting system, which item is vetoed for the reason that the appropriations exceed the revenues.

JOHN BURKE,  
Governor.

CHAPTER 15.

[S. B. No. 132—Davis.]

APPROPRIATIONS FOR STATE UNIVERSITY.

AN ACT Appropriating Money for the Maintenance of the Public Health Laboratory in the Medical Department of the State University and School of Mines at Grand Forks, and its Branches at Bismarck and at Minot and to Repeal Section 1, Chapter 26, Session Laws of 1907.

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

§ 1. APPROPRIATION.] For the purpose of meeting the necessary expenses in the conduct of the public health laboratory in the medical department of the State University and School of Mines at Grand Forks, and of its branches now established at Bismarck and at Minot, there is hereby annually, and commencing Jan. 1st, 1911, appropriated out of the state treasury from any moneys not otherwise appropriated, the sum of ten thousand dollars, or so much thereof as may be necessary, subject to the control and regulations of the Board of Trustees of the State University and School of Mines.

§ 2. REPEAL.] Section 1, Chapter 26 of the Session Laws of 1907 is hereby repealed.

§ 3. EMERGENCY.] An emergency is hereby declared to exist and this act shall take effect and be in full force from and after its passage and approval.

Approved March 18, 1911.

---

### CHAPTER 16.

[S. B. No. 208—Garden]

---

#### APPROPRIATIONS AT SCHOOL OF FORESTRY.

AN ACT to Provide for and the Making of Improvements at the North Dakota School of Forestry to Assist in the Maintenance Thereof, and Making Appropriation Therefor.

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

§ 1. APPROPRIATION.] To assist in maintenance and to carry on experimental work and to equip greenhouse, the following sums of money are appropriated from any funds in the state treasury not otherwise appropriated, viz:

To assist in the maintenance and the carrying on of the  
 experimental work .....\$12,000  
 For installing heating plant in and equipping greenhouse 1,600

§ 2. EMERGENCY.] Whereas, there is not now remaining in the treasury of the institution sufficient funds to carry on the work until July 1st, therefore an emergency exists, and this act shall be in force on and after its passage and approval.

Approved March 3, 1911.

---

#### PARTIAL VETO.

Bismarck, March 18, 1911.

To the Honorable, the Secretary of State:

I file herewith senate bill No. 208, an act to provide for the making improvements at the North Dakota school of forestry and to assist in the maintenance thereof and making an appropriation therefor.

Which bill is approved except as to the item of \$1,600 for greenhouse, which item is vetoed for the reason that the appropriations exceed the revenues.

JOHN BURKE,  
 Governor.

**CHAPTER 17.**

[S. B. No. 109—Elken]

**APPROPRIATION FOR MAYVILLE STATE NORMAL.**

AN ACT Making an Appropriation for the Mayville State Normal School Located at Mayville, North Dakota, for Hospital, Green House, Fuel Bin, Library, Boiler, Grounds, Lecture Course, Manual Training and Domestic Science, and Improvements on Ventilating System, and for Reimbursement of Money Transferred from Local and Interest and Income Funds.

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

§ 1. **APPROPRIATION.]** There is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, the sum of thirty-five thousand, eight hundred and ninety-nine dollars and thirty-one cents (\$35,899.31) for students hospital and for other items as follows:

Students hospital .....	\$10,000.00
Reimbursement of local, and interest for money spent on grounds and general library.....	9,399.31
Cellar and fuel bin.....	3,000.00
Improved ventilating system in main building.....	4,000.00
Green house .....	2,500.00
General library .....	1,000.00
Manual training and domestic science.....	1,000.00
Lecture course .....	500.00
Improvement of campus .....	1,500.00
Additional boiler .....	3,000.00
 Total .....	 \$35 899.31

§ 2. **EMERGENCY.]** Whereas, an emergency exists in that the money hereby appropriated is urgently needed for immediate use, therefore this act shall take effect and be in force from and after its passage.

Approved March 18, 1911.

**PARTIAL VETO.**

Bismarck, March 18, 1911.

To the Honorable, the Secretary of State:

I file herewith senate bill No. 109, an act making an appropriation for the Mayville State Normal School, for a hospital, green house, fuel bin, library, museum, boiler, grounds, lecture

course, manual training, and domestic science, and improvements of ventilating system, and for reimbursement of money transferred and interest and income funds, with my approval except as to items \$2,500 for green house, and \$1,500 for improvement to grounds. These items are vetoed for the reasons that the appropriations have exceeded the revenues of the state.

JOHN BURKE,  
Governor.

---

### CHAPTER 18.

[S. B. No. 145—McDonald.]

---

#### APPROPRIATION FOR THE SCHOOL OF MINES AT HEBRON.

AN ACT Making an Appropriation for the Experimental Station of the School of Mines, and the Mining Sub-station at Hebron, Morton County.

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

§ 1. APPROPRIATION.] In order to properly provide for the work being done in the experimentation and testing of the State's mineral and allied industrial resources at the Mining Experimental Station at the School of Mines and the Mining sub-station at Hebron, Morton county, and in accordance with the laws establishing the same (Chapter 236 Laws of 1907, entitled, an act to foster the development of mineral and allied industries by providing experimentation, encouragement, publicity and practical tests under the direction of the School of Mines; and Chapter 168, Laws of 1909, entitled, an act creating and establishing a Mining Experiment Sub-station under the direction of the State School of Mines at the University of North Dakota and providing for its management,) and to provide the necessary equipment and permanent improvements for carrying forward the work, there is hereby appropriated for the Biennial period of 1911 and 1912, out of any money in the state treasury not otherwise appropriated, the sum of twenty-five thousand dollars to be paid quarterly of each year to the treasurer of the university for the School of Mines Experimental Station and Sub-station, in April, July, October and January of each year, upon the order of the state auditor, who is hereby directed to draw orders for the proper amounts at the times specified.

At least one-half of this amount shall be expended upon the Sub-station at Hebron, Morton County.

Provided, however, that no more than one-fourth of the money hereby appropriated shall be expended upon or at the sub-station at Hebron in Morton county, North Dakota, until the process or formula used in the manufacturing of briquettes at said sub-station at Hebron is patented in the name of the inventor and

duly assigned to the Governor of North Dakota as trustee for the benefit of the people of the state; and provided, further, that all discoveries of utility in experimentation and testing of state minerals or allied industrial resources at the mining experimental station, the school of mines, and the mining sub-station at Hebron in Morton County, North Dakota, shall be patented in the name of the inventor and duly assigned to the Governor of North Dakota as trustee for the benefit of the people of the state. And it is hereby made the duty of the Dean of said school of Mines and the said Sub-station at Hebron and the professors connected therewith, and any person or persons in the employ of said school of mines or experimental stations, to report such discoveries and to make proper application for patent therefor, and to duly assign the patent, when obtained, to the Governor of North Dakota as said trustee. Any costs and expenses incurred in securing patents shall be paid out of the appropriation herein provided for. The provisions hereof do not apply to discoveries that are not patentable.

§ 2. EMERGENCY.] Whereas an emergency exists in that the funds for continuing the work of these stations are exhausted and any break in the work at this stage would prove very detrimental, therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 18, 1911.

---

## CHAPTER 19.

[S. B. No. 268—Duncan]

---

### APPROPRIATION FOR DAIRY DEPARTMENT.

An Act to Amend and Re-Enact Section 28 of Chapter 92, of the Session Laws of 1909, Providing an Appropriation for the Dairy Department of Agriculture and Labor.

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

§ 1. APPROPRIATION.] There is hereby appropriated out of any money in the state treasury not otherwise appropriated, the sum of five thousand dollars, annually, and in addition thereto such sum or sums as shall be collected for licenses, under the provisions hereof, for the purpose of carrying into effect the provisions of this act.

§ 2. EMERGENCY.] There is hereby declared to be an emergency in that there are now no available funds for use by the dairy department, therefore, this act shall be in full force and effect on and after its date of passage and approval.

Approved March 18, 1911.

## CHAPTER 20.

[S. B. No. 139—Walton]

## APPROPRIATION FOR INDUSTRIAL SCHOOL.

AN Act to Provide for the Maintenance of the State Normal Industrial School Located at Ellendale and for Necessary Improvements and Providing Appropriations Therefor.

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

§ 1. APPROPRIATION.] For the maintenance of the state Normal Industrial School and for making necessary improvements, there is hereby appropriated out of the state treasury from any moneys not otherwise appropriated, the sum of thirty-five thousand five hundred dollars as follows:

For maintenance .....	\$20,000
For interest on Carnegie warrants .....	3,500
For manual training equipment .....	12,000

§ 2. EMERGENCY.] Whereas, in the opinion of the legislative assembly, an emergency exists; therefore this act shall take effect and be in force from and after its approval.

Approved March 3, 1911.

## CHAPTER 21.

[S. B. No. 13—Kennedy]

## APPROPRIATION FOR GOVERNMENT EXPERIMENT STATION.

AN ACT to Provide Additional Maintenance for the Government Experiment Station and North Dakota Agricultural College at Fargo.

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

§ 1. APPROPRIATION.] There is hereby annually appropriated out of any moneys in the state treasury not otherwise appropriated, the sum of twenty-five thousand (\$25,000.00) dollars for the maintenance of the government experiment station and North Dakota Agricultural College at Fargo, to be paid quarterly to the treasurer of the North Dakota Agricultural College in April, July, October, and January of each year, upon the order of the state auditor, who is hereby directed to draw order for the same for the use of the government experiment station and the North Dakota Agricultural College for the purpose of co-operating with the federal government experiment station in original agricultural research and experimentation, for the purchase of necessary farm machinery and farm animals, for the employment of

labor to carry on experiments and investigations, for the purchase of laboratory and other supplies, for payment of salaries, and for making minor improvements and repairs.

§ 2. EMERGENCY.] Inasmuch as the maintenance herein provided has been urgently needed for many months and necessary equipment for spring work on the experiment station should be provided long prior to July 1st, 1911, an emergency exists and this bill shall be in force from and after its passage and approval.  
 Approved March 18, 1911.

CHAPTER 22.

[S. B. No. 27—Wallin]

APPROPRIATION FOR MINOT NORMAL.

AN ACT Making an Appropriation for the Normal School at Minot to Meet an Expenditure for the Erection of Buildings and Permanent Improvements Necessary in Connection Therewith, and for Furnishing, Equipment and Maintenance.

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

§ 1. There is hereby appropriated the following sums of money in the state treasury or so much thereof as may be needed, not otherwise appropriated to meet the expenditure for erection of buildings and permanent improvements necessary in connection therewith and for furnishings, equipment and maintenance for the normal school at Minot as follows:

For a main building to contain office, assembly room, class rooms, laboratory and library.....	\$125,000
For wiring and plumbing, for heat, water and light.....	5,000
For a central heating plant.....	12,000
For maintenance for two years.....	5,000
For sewer and water main.....	3,000
For girls' dormitory .....	50,000
Total .....	\$200,000

Provided, that of the above appropriation the amount hereby fixed for a girls' dormitory shall not become available before January 1st, 1913, and provided, further, that before any of the sum or sums hereby appropriated shall become available, the citizens of Minot shall donate a suitable location free from all incumbrances of not less than sixty acres in extent, which land shall be deeded to the state, the selection of said site and land to be determined by the Normal Board of Control.

Approved March 18, 1911.

## CHAPTER 23.

[S. B. No. 46—Plain]

## ESTABLISHING A HAIL INSURANCE DEPARTMENT.

AN ACT Establishing a Hail Insurance Department and Making the Commissioner of Agriculture and Labor Also the Commissioner of Hail Insurance; Prescribing Rules, Regulations and Duties of Officers and Persons Connected Therewith; Prescribing How Premiums, Expense, and Indemnity for Losses by Hail Shall be Paid.

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

§ 1. A hail insurance department of the state of North Dakota is hereby established, and the commissioner of agriculture and labor shall also be the commissioner of hail insurance, and the management of said hail insurance department shall be under his supervision.

He shall have the authority to appoint and engage such additional deputies and clerks as he may find necessary to properly conduct the business, and a salary of such deputies and clerks shall be allowed, not to exceed one hundred dollars per month for each deputy and eighty dollars per month for each clerk to be paid out of the hail insurance fund. He shall also prepare and provide the necessary blanks, books, stationery and postage, and cause the same to be delivered to the proper officers and persons. This hail insurance department shall insure growing grain in any county in the state against loss by hail upon the terms and in the manner hereinafter set forth, and shall draw up and furnish a standard form of hail insurance policy; Provided that the appointment and the employment of all additional deputies and clerks shall have the approval of the State Auditing Board, and all expenses and salaries audited and allowed by it.

§ 2. ASSESSOR'S DUTIES, AND BOND.] It shall be and is hereby made the duty of each and every county, township, city and village assessor in the state, each within his respective district, at the time of listing the property for assessment, to inquire of the party assessed how many acres of crop, if any, such party desires to have insured in said state hail insurance department for the year in which said assessment is made, and at the same time inform said party that as a premium for said hail insurance a payment of twenty (20) cents per acre for each and every acre so insured must be made; and if the party assessed is willing and consents to have all or part of his crops insured, it shall be the duty of said assessor to take said application for such hail insurance on blanks furnished him for that purpose by the county auditor, the form of which must have been

approved by the commissioner of hail insurance, and carefully describe each piece of land that he so insures, describing particularly the section or quarter section, or any subdivision thereof, and the township and county wherein the same is situated; also stating separately the number of acres of wheat, oats, barley, flax, rye or other grain that said party so insures, and collect twenty (20) cents for each acre so insured, and in addition an application fee, to be paid to the assessor, of twenty-five cents for one hundred sixty-acres or less and ten cents for each additional one hundred sixty acres or fraction thereof, and the assessor shall forward the application promptly, together with the premiums so collected, to the county auditor. The assessor shall execute an official bond, in addition to the regular assessor bond, to the state of North Dakota, in the sum of one thousand dollars, to be approved by the proper officials, as provided by law.

§ 3. COUNTY AUDITOR'S DUTIES.] Each county auditor in the state shall file and keep the insurance applications returned to him by the several assessors and turn all moneys collected for such insurance over to the county treasurer, taking his receipt therefor, and any party who fails to insure his crop with the assessor, as above described, may at any time up to and including the fifteenth day of August, apply to the county auditor of the county where the land is situated to have his crop insured, as provided in this act, by filling out and filing with the county auditor an application, as prescribed in section 2 hereof, and upon the payment of a fee of twenty-five cents for one hundred sixty acres or less and ten cents for each additional one hundred sixty acres or portion thereof to the county auditor for his services, in addition to the premium to be paid at that time to the county auditor for such insurance, which premium shall be turned over to the county treasurer as above provided.

It is further provided that said insurance shall be in force and effect from the time of the filing of the application in the office of the county auditor, and until the grain is cut, but in no case later than September 15th of each year. He shall also keep a record of the time of filing such application. The county auditor shall immediately issue and mail to each applicant his policy upon the filing of said application.

§ 4. DUPLICATES AND ABSTRACTS.] On or before the first day of September in each year, each and every county auditor within the state shall make out in duplicate a list of all the hail insurance applications filed in his office and forward the same to the department of hail insurance at Bismarek, North Dakota.

§ 5. DUTY OF COUNTY TREASURER.] The county treasurer of each and every county in the state shall issue his receipt to the auditor for such premiums turned over to him and shall keep a separate account of all moneys collected from such hail insurance premiums, and he shall pay the same over to the state

treasurer, taking his receipt therefor, not less than ten per cent at the end of each month and the balance not later than August fifteenth of each year.

§ 6. ADJUSTERS.] The several members of the board of county commissioners, each within their respective counties, shall be and are hereby constituted adjusters in the case of loss or damage caused by hail to any crop that has been insured, as provided in this act, and it is hereby made their duty to adjust all losses and damages within their respective counties of which they have been notified. When any party that is insured as herein provided has sustained a loss by hail, he shall within three days thereafter notify the nearest county commissioner of the district wherein the land is situated upon which said loss is sustained. If for any reason the said county commissioner of said district cannot act, then the county commissioner of the next nearest district within the county to the insured shall be notified, provided no county commissioner shall act as such adjuster in the district from which he was elected. Such county commissioner shall then choose a disinterested party, residing within his district, and the two shall, as soon as possible, visit the place of loss and proceed to estimate and adjust said loss. In so doing, it shall be their duty to carefully inquire into the condition of the crop before the loss occurred, as to whether it was poor, medium or good, and if they deem it necessary, they shall have the power to call witnesses to testify as to the condition of the crop before the same was damaged or destroyed, and they shall make their estimate and adjustment after ascertaining the condition of the crop before and after the loss occurred. In estimating the loss, they shall also take into consideration the costs of harvesting, threshing and marketing said crop as if in case no loss had occurred, and deduct the same from the amount that the crop would have brought provided no loss had been sustained, and allow as damages the same proportion that the crop as damaged bears to the crop if no loss had occurred; provided, however, that in no case shall more than eight dollars per acre be allowed for wheat, flax, oats, barley, rye and other grain.

§ 7. IN CASE NO AGREEMENT.] In case that the party that has sustained the loss is dissatisfied with and refuses to accept the adjustment made by the adjusters, then he shall have the right to appoint one disinterested person as adjuster, and the county commissioner of said district shall appoint another person as adjuster, and the two shall elect a third disinterested person, and the three shall then proceed to adjust the loss in the same manner as specified in Section 6, and the judgment of the majority shall be the judgment of said adjusters and shall be binding upon both parties as the final determination of said loss; provided, however, that if the insured does not recover

an equal or greater sum than allowed by the county commissioner and his adjuster in the first instance, he shall pay the expenses of the said three adjusters and their witnesses in making said adjustment, but if he receives a larger sum, then the same shall be paid by the commissioner of hail insurance out of the hail insurance fund.

§ 8. REPORT OF ADJUSTERS.] At the final adjustment of each loss the adjusters shall then and there carefully fill out and make a report on an adjustment blank prepared for them for that purpose, stating the county, township and range, the number of the section and the quarter of the section or sub-division thereof on which the crop was damaged or destroyed, also the number of acres and the number of bushels and different kinds of grains estimated damaged or destroyed, stating the amount allowed for each separately, and that such estimate is true and not in excess of the actual loss sustained, which said adjustment papers must be signed and sworn to by both the county commissioner acting as adjuster or adjusters and the party whose loss has been adjusted, with the residence and post office address of both. The adjusters shall then forward by registered mail said adjustment papers to the commissioner of hail insurance at Bismarek, North Dakota.

§ 9. COMPENSATION OF ADJUSTERS.] The county commissioner when serving as adjuster, shall receive for such services the same pay per day as he receives when serving on the board of county commissioners, and all other persons called on to assist in adjusting a hail loss, whether acting as adjusters or as witnesses, shall receive the sum of two dollars per day for all services so rendered. Said county commissioner acting as adjuster shall itemize said expense account for each loss or adjustment made, which account must be sworn to and forwarded to the commissioner of hail insurance, and the same shall be allowed and paid out of the state hail insurance fund.

§ 10. DUTIES OF STATE TREASURER.] The state treasurer shall keep all moneys paid in by the several county treasurers from the collections of hail insurance in a separate fund, to be designated and known as the hail insurance fund, and the state treasurer shall pay out of said fund only upon warrant issued and signed by the commissioner of hail insurance, as provided by section 12 of this act.

§ 11. THE DUTIES OF THE COMMISSIONER OF HAIL INSURANCE.] When the several county auditors of the state shall have made complete returns showing the number of acres insured for that year, the commissioner of hail insurance shall sum up the total hail insurance fund for that year and when he shall have received a complete return from all the hail losses in the state as adjusted and allowed, he shall sum up the total of such amounts for that year. He shall then sum up the expenses of his office as follows:

First: The total amount allowed for adjusting losses.

Second: The total amount estimated necessary for deputies and clerk hire in the hail insurance department for said year.

Third: The amount estimated necessary for books, blanks, stationery, postage and other expenses incident to the running and operation of the said hail insurance department for said year.

The total sum of such expense account shall first be deducted from the total amount of the hail insurance receipts for that year and paid, and if the balance remaining is sufficient, all hail losses shall be paid in full as allowed by the adjusters but if the expenses and hail losses shall exceed the amount of hail insurance receipts for that year, then the expenses shall be paid first and the losses shall be paid pro rata. However, should there in any one year, after all expenses and losses have been paid, still be a surplus, then such surplus shall remain in the hail insurance fund to be drawn upon in such future years as there might be a deficiency.

§ 12. When the commissioner of hail insurance has figured up the whole year's business, as indicated in section 11, he shall draw his warrants on the state treasurer, to be paid out of the hail insurance fund in such sums as the records of his office show, the several parties entitled thereto, and he shall forward the same to the county treasurers of the respective counties. It shall be the duty of the county treasurers to forward warrants for the amount due to the persons in their counties who have sustained losses and are entitled to receive warrants under the provisions of this act.

§ 13. The commissioner of hail insurance shall, on or about the first day of January in each year, issue and publish in four newspapers of general circulation within the state a concise statement of the work and condition of the hail insurance department during the preceding year.

He shall also make a biennial report to the legislature.

§ 14. The commissioner of hail insurance shall execute an official bond to the state of North Dakota, in the sum of ten thousand dollars (\$10,000) to be approved by the governor and filed in the office of the secretary of state.

§ 15. All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

§ 16. EMERGENCY.] Whereas, it is deemed advisable that this act take effect in time for insurance of crops of 1911, therefore an emergency is hereby declared to exist, and this act shall take effect and be in force from and after its passage and approval.

Approved March 18, 1911.

## CHAPTER 24.

[S. B. No. 347—Kennedy]

## APPROPRIATION.

AN ACT Making an Appropriation for the Enforcement of Feeding Stuffs, Fertilizer, Beverage, and Sanitary Inspection Laws, and for the Making of Such Investigations as are Deemed Necessary for the Purpose of Gaining Information, Under the Laws Mentioned, and for the Dissemination of Information.

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

§ 1. APPROPRIATION.] There is hereby appropriated annually out of any moneys in the state treasury not otherwise appropriated, the sum of twelve thousand (\$12,000) dollars to the North Dakota government agricultural experiment station at Fargo, for the enforcement of the feeding stuffs, fertilizers, beverage and sanitary inspection laws, and such other enacted inspection laws as the food commissioner of this state may be authorized to enforce by the acts of the legislative assembly, and for the making of such investigations as are necessary for the gaining of information under the provisions of such laws, and also for the dissemination of information through bulletins, and reports, which said station is hereby authorized to publish from time to time, setting forth such information as may be of interest to the people of the state and which is gained under the authority of the several acts hereinbefore named, or which experiments are instituted for the purpose of gaining information upon which to base conclusions for better enforcing the provisions of such laws. The sum herein named shall be paid in equal semi-annual installments to the treasurer of the board of trustees of said station upon order of the state auditor, who is hereby directed to draw his order for the same.

§ 2. EMERGENCY.] Whereas, an emergency exists in that no funds are now available for the enforcement of the laws mentioned in this act, this act shall be in full force and effect from and after its passage and approval.

Approved March 18, 1911.

## CHAPTER 25.

[S. B. No. 82—Steel of Stutsman]

## BUILDING APPROPRIATION.

AN ACT to Provide an Appropriation for the Erection of New Buildings and for Other Necessary Improvements at the State Hospital for the Insane of North Dakota, at Jamestown.

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

§ 1. APPROPRIATION.] There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, for the purpose of erecting necessary additional buildings at the state hospital for the insane of North Dakota, at Jamestown, and for making other needed and necessary improvements and for the proper equipment of such buildings, the sum of one hundred fourteen thousand dollars, as follows:

Fire proof ward building for women, and equipment.....	\$ 95,000
Addition to laundry .....	7,000
Alterations to boiler house .....	1,600
For new main sewer .....	1,300
Slaughter house and yards .....	1,250
Dairy barn .....	7,500
Concrete Mixer .....	350
<b>Total .....</b>	<b>\$114,000</b>

§ 2. EMERGENCY.] Whereas, an emergency exists in this, that the funds hereby appropriated will be needed before July 1, 1911, therefore this act shall take effect and be in force on and after its passage and approval.

Approved March 18, 1911.

## CHAPTER 26.

[S. B. No. 189—Welch]

## STATE PENITENTIARY APPROPRIATION.

AN ACT Making Appropriation for the Current and Contingent Expenses of the State Penitentiary, and for Making Permanent Improvements and Additions Thereto.

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

§ 1. APPROPRIATION.] There is hereby appropriated the following sums of money, or so much thereof as may be necessary out of any moneys in the state treasury, not otherwise appropriated,

for payment of the current and contingent expenses of the state penitentiary, and for making permanent improvements and additions thereto, as follows:

Warden's Salary .....	\$ 4,000
Deputy Warden's salary .....	3,000
Bookkeeper's salary .....	2,500
Storekeeper's and Clerk's salary .....	1,500
Matron's salary .....	400
Chaplain's salary .....	500
Guard's and Employees' salary .....	25,000
Maintenance .....	45,000
Heating and Lighting .....	15,000
Repairs and Improvements .....	3,000
Incidentals .....	1,000
Physician and Medicines .....	2,500
Transportation and Clothing, etc. discharged inmates....	4,000
Clothing .....	4,000
Bedding .....	1,000
Books and Stationery .....	1,000
Water Supply .....	3,000
Expenses of Warden to be paid monthly, not to exceed the biennial sum of .....	1,000
Finishing and Furnishing Chapel in the new east wing of the main building .....	1,000
Boilers and additional room .....	5,200
Machine Shed .....	1,200
Well for Water Supply .....	1,500
Antiseptic tank .....	1,500
 Total .....	 \$127,800

§ 2. **EMERGENCY.**] An emergency exists in this, that there is no provision for the payment of the expenses of said penitentiary after March 1, 1911, therefore this act shall take effect from and after its passage and approval.

Approved March 18, 1911.

CHAPTER 27.

[S. B. No. 134—Overson]

APPROPRIATION FOR THE WILLISTON EXPERIMENTAL STATION.  
AN ACT Making an appropriation for the Williston Experimental Station,  
Located at the City of Williston, Williams County.

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

§ 1. The sum of five thousand dollars is hereby appropriated out of any money in the state treasury not otherwise appropri-

ated, for the Williston Experimental Station, located at Williston, Williams County, for the purpose of erecting a seed house, office and root cellar.

§ 2. EMERGENCY.] An emergency exists in that some of the above appropriated sums will be required prior to July 1st, 1911. Therefore this act shall be in force from and after its approval.  
Approved March 18, 1911.

### CHAPTER 28.

[S. B. No. 234—Duis]

#### AUTHORITY AND POWER OF STATE AUDITING BOARD.

AN ACT To Authorize and Empower the State Auditing Board to Audit, Approve and Order Paid, Bills Contracted by the Capitol Commission Under Chapter 166 of the Session Laws of 1905, and Making an Appropriation Therefor.

*Be It Enacted by the Legislative Assembly of the State of North Dakota.*

§ 1. The state auditing board is authorized, empowered and directed to audit, approve and pay out of the interest and income fund of the Capitol Building, the following bills contracted by the Capitol Commission of 1905, and which bills are still unpaid.

Bismarck Tribune .....	\$ 199.00
The Herald Printing Company, for advertising....	177.50
Forum Printing Company, for advertising.....	177.86
Fargo Morning Call, for advertising.....	171.25
Jamestown Daily Alert, for advertising.....	175.25
Wm. Budge, Salary as President of the Commission .....	625.00
Andrew Sandager, Salary as member of Commission .....	330.00
D. J. Laxdal, Salary as member of Commission.	300.00
St. Paul Pioneer Press for advertising.....	153.10
	<hr/>
	\$2,278.96

§ 2. There is hereby appropriated out of the interest and income fund of the Capitol Building the sum of \$2,278.96 for the carrying out of the provision of this act.

Approved March 18, 1911.

CHAPTER 29.

[S. B. No. 141—McLean]

APPROPRIATION SUB-EXPERIMENT STATION.

AN ACT Appropriating Money for the Erection of a Seed House and Soil Testing Room, Hog and Chicken House and the Purchase of Brood Mares, Gasoline Engine and other Needed Repairs at the Langdon Sub-Experiment Station.

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

§ 1. APPROPRIATION.] There is hereby appropriated the following sums of money or so much thereof as may be necessary out of the moneys of the state treasury not otherwise appropriated, for the purpose of making the needed improvements at the Langdon Sub-Experiment Station, as follows:

For erection of Seed House and Rooms for Soil Tests.....	\$1,500
For erection of Chicken and Hog House .....	300
For the purchase of Brood Mares .....	700
For the purchase of Gasoline Engine .....	400
For fencing and other needed improvements .....	600
<b>Total .....</b>	<b>\$3,500</b>

§ 2. EMERGENCY.] As an emergency exists in this that the buildings should be constructed in spring, therefore this act should take effect from its passage and approval.

Approved March 18, 1911.

CHAPTER 30.

[S. B. No. 274—Simpson]

APPROPRIATION FOR EXPERIMENT STATION.

AN ACT Making an Appropriation for the Dickinson Experiment Station Located in the City of Dickinson.

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

§ 1. The sum of three thousand dollars, until otherwise provided, is hereby appropriated out of any money in the state treasury, not otherwise appropriated, for the Dickinson Experiment Station located in the city of Dickinson for the purpose of inaugurating and continuing experimental work in the growing of winter wheat, alfalfa and the other agricultural crops including

native and other grasses and forage products, said sum to be in addition to the sum now available for maintenance of said station.

§ 2. EMERGENCY.] An emergency exists in this that the experiment herein referred to should be undertaken prior to July 1st, 1911; therefore, this act shall be in force from and after its passage and approval.

Approved March 18, 1911.

---

### CHAPTER 31.

[S. B. No. 41.—Kennedy]

#### APPROPRIATION MONEY FOR AGRICULTURAL COLLEGE.

AN ACT Appropriating Money for the Purpose of Building and Equipping a Chemistry Building and Laboratories for the North Dakota Agricultural College at Fargo, North Dakota.

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

§ 1. APPROPRIATION.] There is hereby appropriated out of the moneys in the state treasury, not otherwise appropriated, the following sum of money:

To build and equip a chemistry building and laboratories for the agricultural college at Fargo \$65,000.00.

§ 2. EMERGENCY.] An emergency exists in that the department of chemistry for the Agricultural College is without a chemistry building or laboratories adequate for conducting the work of the college or the examination of foods and drugs under the provisions of the food and drug acts, and that the building in the process of construction cannot be completed until funds are available, and as the building should be completed at the earliest date possible, this act shall be in effect from and after its passage and approval.

Approved March 18, 1911.

---

### CHAPTER 32.

[S. B. No. 158—McDonald]

AN ACT Making Appropriations for the Current and Contingent Expenses of the State Reform School of North Dakota, and for Making Permanent Improvements Thereto:

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

§ 1. APPROPRIATION.] There is hereby appropriated the following sums of money, or so much thereof as may be necessary,

out of the moneys in the state treasury not otherwise appropriated, for the purpose of paying the current and contingent expenses of the State Reform School at Mandan for the biennial period ending July 31, 1913.

For sidewalks, relaying floors, repainting buildings, etc. ....	\$1,500.00
For furnishing girls building, superintendent's room and office.....	3,000.00
For increased water supply.....	1,000.00
For putting in steam laundry.....	1,500.00
Total .....	\$7,000.00

§ 2. EMERGENCY.] Whereas, an emergency exists in that a portion of the money hereby appropriated is urgently needed for immediate use, therefore this act shall take effect and be in force from and after its passage and approval.

Approved March 18, 1911.

CHAPTER 33.

[S. B. No. 12—Kennedy.]

FARGO EXPERIMENT STATION APPROPRIATION.

AN ACT Making Appropriation to Pay Balance Due on Girl's Dormitory and Domestic Science Laboratory and for the Equipment and Furnishing of Same; for the Installation of a Boiler and Smokestack for the Heating Plant, and for the Purchase of Additional Land for the Use of the Government Experiment Station at Fargo.

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

§ 1. APPROPRIATION.] There is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, to pay balance due on the girls' dormitory and domestic science laboratory at the North Dakota Agricultural College, and for the equipment and furnishing of same, \$40,000.00.

For the purchase of half-section of land (more or less) for the use of the government experiment station \$15,000.00.

§ 2. EMERGENCY.] As the balance on the girls' dormitory and domestic science laboratory is overdue, and as the option on the half-section of land at the price indicated expires April 1, 1911, an emergency exists and this act shall take effect and be in force after its passage and approval.

Approved March 18, 1911.

## CHAPTER 34.

[S. B. No. 161—Carter]

## SCIENCE SCHOOL APPROPRIATION.

AN ACT To Provide An Appropriation for the Current and Contingent Expenses and for the Permanent Improvements for the State School of Science at Wahpeton.

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

§ 1. APPROPRIATION.] There is hereby appropriated out of any funds in the state treasury, not otherwise appropriated, for the purpose of paying the current and contingent expenses of, and for permanent improvements to the state School of Science, for the period beginning March 1, 1911, and ending March 1, 1913, the sum of thirty-one thousand two hundred and fifty dollars, or as much thereof, as may be necessary, as follows:

For cement Walks.....	\$ 1,800
For grading and improving grounds.....	1,000
For deficit in cost of girl's dormitory, Chemical building and heating plant, which was temporarily transferred from maintenance fund .....	4,950
For repairs on Main building .....	3,500
For combined assembly hall and gymnasium .....	20,000
Total .....	\$31,250

§ 2. EMERGENCY.] An emergency exists in this, that the funds hereby appropriated will be needed before July 1, 1911. therefore this act shall take effect from and after its passage and approval.  
Approved March 18, 1911.

## CHAPTER 35.

[H. B. No. 210—Olsgard of Nelson]

## TO ENCOURAGE ELEMENTARY EDUCATION.

AN ACT To Encourage Elementary Education in North Dakota and Appropriate Money Therefor.

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

§ 1. PURPOSE.] The purpose of this act shall be to aid, encourage, stimulate, and standardize the rural and smaller graded schools of this state and thereby increase the efficiency of the entire educational system of this state.

§ 2. GRADED, CONSOLIDATED AND RURAL SCHOOLS MAY OBTAIN STATE AID.] Any public school in any common school district in the state or any public school in any city, town or village, or any consolidated school in the state, not entitled to aid as a state high school, but fully complying with the conditions of this act relating to state graded schools and any public school in any common school district in the state not located in any incorporated city, town or village, or any consolidated school not entitled to state aid as a state high school or graded school, but fully complying with the conditions of this act relating to state rural schools, may receive aid as hereinafter provided for state graded schools and state rural schools.

§ 3. CONDITIONS TO BE COMPLIED WITH BY STATE GRADED SCHOOLS IN ORDER TO OBTAIN AID.] State graded schools shall be of two classes, first and second class. First class: In order to be entitled to aid as a state graded school of the first class, such school shall have complied with the following conditions, namely:

First, it shall have maintained for the school year next preceding that for which aid is granted at least nine (9) months school. Second, it shall be well organized, having at least four departments under the supervision of proficient teachers. The principal shall be a graduate of a normal school or other institution of higher learning or shall hold a state professional certificate and each department of such school shall be taught by a teacher having at least a first grade elementary certificate or better. Third, it shall have a suitable school building properly lighted, heated and ventilated, sanitary and commodious outhouses and other necessary accommodations, library and such other apparatus as is necessary to do efficient work. Fourth, such school shall have a regular and orderly course of study and shall include the first two years of a high school course, as suggested by the state high school board as well as courses in domestic science, manual training and elementary agriculture and shall comply with such rules as may be established by the state superintendent of public instruction.

Second class: In order to be entitled to aid as a state graded school of the second class, such school shall have complied with the following conditions, viz:—

First, it shall have maintained for the school year next preceding that for which aid is granted at least nine (9) months school. Second, it shall be well organized, having at least two departments under the supervision of proficient teachers. The principal shall be a graduate of a normal school or other institution of higher learning or shall hold a state professional certificate, and each department of such school shall be taught by a teacher having a first grade elementary certificate or better. Third, it shall have a suitable school building, properly lighted, heated and ventilated; sanitary and commodious outhouses and

other necessary accommodations, a library and such other apparatus as is necessary to do efficient work. Fourth, such school shall have a regular and orderly course of study as prescribed in the state course of study for common schools, courses in domestic science, manual training and agriculture and shall comply with such rules as may be established by the state superintendent of public instruction.

§ 4. CONDITIONS FOR OBTAINING AID AS A STATE RURAL SCHOOL.] State rural schools shall be of two classes, first and second class.

First class: In order to be entitled to aid as a state rural school of the first class, such school shall have complied with the following conditions, viz:

First: Such school shall have maintained during the school year next preceding that for which aid is granted at least nine (9) months school.

Second: It shall be taught by a teacher of successful experience, holding a first grade elementary certificate or better.

Third: It shall have a suitable school building, properly lighted, heated and ventilated; sanitary and commodious outhouses and other necessary accommodations, a library and such other apparatus as is necessary to do efficient work.

Fourth: Such school shall have a regular and orderly course of study as prescribed in the state course of study for common schools, including elementary agriculture, and shall comply with such rules as may be established by the state superintendent of public instruction.

Second Class: In order to be entitled to aid as a state rural school of the second class such school shall have complied with the following conditions, namely:

First: Such school shall have maintained for the school year next preceding that for which aid is granted at least eight (8) months school.

Second: It shall be taught by a teacher of successful experience holding a second grade elementary certificate or better.

Third: It shall have a suitable school building, properly lighted, heated and ventilated, sanitary and commodious outhouses, and other necessary accommodations, library and such other apparatus as is necessary to do efficient work.

Fourth: Such school shall have a regular and orderly course of study as is prescribed in the state course of study for common schools, including elementary agriculture and shall comply with such rules as may be established by the state superintendent of public instruction.

Provided, that for the purpose of this entire act, the primary certificate shall be considered as the equivalent of the first grade elementary certificate; further, that except in case of the principal teacher, the superintendent of public instruction may, in

his discretion, recognize teachers holding second grade elementary certificates who have had five years of successful experience as eligible to teach in any of the schools contemplated by this act.

§ 5. APPLICATION TO BE MADE TO THE COUNTY SUPERINTENDENT OF SCHOOLS.] Applications from schools for the aid herein provided in the case of both state graded and state rural schools shall be made to the county superintendent of schools of the county in which such schools are located. The county superintendent shall forward to the state superintendent of public instruction such applications as are endorsed and recommended by him, together with a certificate of the superintendent of the county wherein the school making such application is situated, to the effect that such school has fully complied with the conditions mentioned in section three (3) of this act in the case of state graded schools, and with the conditions mentioned in section four (4) of this act in the case of state rural schools.

§ 6. INSPECTION BY DEPARTMENT OF PUBLIC INSTRUCTION. INSPECTOR OF RURAL AND GRADED SCHOOLS. APPOINTMENT, SALARY AND EXPENSES. QUALIFICATIONS OF INSPECTOR.] Applications for aid of state graded schools or state rural schools which have the endorsement and recommendation of the superintendent of the county wherein such schools are located shall be filed in the office of the state superintendent of public instruction and prior to the apportionment of any aid, under the provisions of this act, shall be duly inspected by an officer of the department of public instruction known as the inspector of rural and graded schools. Such inspector shall be appointed by the state superintendent of public instruction for a term of two years and shall receive a salary of \$2,000 a year, together with his necessary and actual traveling expenses while in the active discharge of his duties. Such salary and expenses are to be paid out of the moneys appropriated for the purposes of this act upon presentation of vouchers properly verified and approved by the state superintendent of public instruction and filed with the state auditor. The inspector of rural and graded schools shall have the educational qualifications required by law for state superintendent of public instruction and shall have previously served as county superintendent of schools in this state.

§ 7. AMOUNT OF APPORTIONMENT.] Between the first of August and the first of September of each year, the state superintendent of public instruction shall apportion to each of said state graded schools which have fully complied with the provisions of this act and such additional rules as may be established by him, relating to state graded schools, the sum of one hundred fifty dollars in each year to state graded schools of the first class and to state graded schools of the second class the sum of one hundred dollars, and he shall apportion to each of

the state rural schools which have fully complied with the provisions of this act and such additional rules as may be established by him relating to state rural schools, the sum of one hundred dollars in each year to each state rural school of the first class; and to each state rural school of the second class, the sum of fifty dollars in each year; provided, however, that in case the amount appropriated and available shall not be sufficient to pay the amounts specified above, then the amount available shall be apportioned pro rata among the schools entitled thereto and any moneys apportioned under this act shall be used solely to increase the efficiency of such schools. Provided, also, that but one school of each class in any township shall receive aid under the provisions of this act until all of these schools applying for aid before August first of each year are considered and disposed of.

§ 8. ADDITIONAL AID TO CONSOLIDATED SCHOOLS.] Any consolidated school, meeting the requirements for a state graded school of the first class shall receive additional aid in the amount of one hundred dollars, and any consolidated school meeting the requirements for a state graded school of the second class shall receive additional aid in the amount of seventy-five dollars; further, any consolidated school, meeting the requirements for a state rural school of the first class shall receive additional aid in the amount of fifty dollars and any consolidated school meeting the requirements for a state rural school of the second class shall receive additional aid in the sum of twenty-five dollars. A consolidated school, within the meaning of this act shall be one organized in accordance with section 832 of the Revised Codes of 1905.

§ 9. RECORDS, ACCOUNTS AND RULES.] The state superintendent of public instruction shall keep a record showing all schools applying for and receiving aid as state graded schools or as state rural schools in each year, and a detailed account of all moneys received by him and disbursed for such purposes. The state superintendent is also authorized to establish such additional rules as shall be found necessary to secure uniformity and the best results among the schools receiving such state aid.

§ 10. ADVANCEMENT OF GRADED SCHOOLS OF THE FIRST CLASS TO HIGH SCHOOLS AND ADVANCEMENT OF GRADED SCHOOLS OF THE SECOND CLASS TO GRADED SCHOOLS OF THE FIRST CLASS.]

First Class: When any state graded school of the first class in this state attains such a degree of proficiency as to satisfy the inspector of rural and graded schools that it has the qualifications necessary to entitle it to be advanced to a state high school, such inspector may recommend the same to the state high school board for such advancement. If the state high school board is satisfied that such school complied with all the require-

ments necessary to entitle it to promotion, said board may raise it to a state high school, entitling it to aid as such.

Second class: When any state graded school of the second class in this state has attained such a degree of proficiency as to satisfy the inspector that it has the qualifications necessary to entitle it to be advanced to a state graded school of the first class such inspector may recommend the same to the state superintendent of public instruction for such advancement. If the state superintendent of public instruction is satisfied that such school fully complies with all the requirements necessary to entitle it to promotion, such superintendent may raise it to a state graded school of the first class, entitling it to aid as such.

§ 11. REPORT OF STATE SUPERINTENDENT OF PUBLIC INSTRUCTION.] The state superintendent of public instruction shall include in his biennial report a comprehensive statement of all receipts and disbursements; the names and number of schools in each class receiving aid; the number of pupils attending the classes in each and the cost of supervision of all schools receiving aid under this act for the years covered by such report, to which may be added an estimate of appropriation needed to meet the requirements of this act for the succeeding two years and such other recommendations as he may deem useful and proper.

§ 12. AMOUNT APPROPRIATED FOR EACH CLASS.] For the purpose of carrying out the provisions of this act the following sums are hereby appropriated annually, to be paid out of any moneys in the state treasury not otherwise appropriated, viz: For aid to state graded schools the sum of six thousand dollars (\$6,000) annually. For aid to state rural schools the sum of six thousand dollars (\$6,000) annually and for additional aid to state consolidated schools the sum of three thousand dollars (\$3,000) annually. For the inspector's salary as hereinbefore provided the sum of two thousand dollars (\$2,000) annually and for the actual and necessary traveling expenses of said inspector the sum of five hundred dollars (\$500) annually, which amounts, or so much thereof as is necessary, shall be paid upon the itemized voucher of the state superintendent of public instruction, duly certified and filed with the state auditor. Provided, however, that in case the amount appropriated and available under this article for the payment of aid to such schools shall in any year be insufficient to apportion to each of such schools as are entitled thereto the full amount intended to be apportioned to state graded schools, state rural schools and state consolidated schools, then, in such case, such amounts as are appropriated and available shall be apportioned pro rata among the schools entitled

thereto. Provided, the first annual appropriations herein provided for such shall become available July first, 1911.

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

Approved March 17, 1911.

---

### CHAPTER 36.

[H. B. No. 266—Bjornson.]

---

#### APPROPRIATION FOR ROOT CELLAR.

AN ACT to Appropriate Money for a Root Cellar and for the Purchase of Brood Mares for Edgeley Experiment Station located at the City of Edgeley in La Moure County.

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

§ 1. APPROPRIATION.] There is hereby appropriated the following sums of money, or so much thereof as may be necessary out of the moneys of the state treasury not otherwise appropriated, and for the purpose of making the following improvements at the Edgeley Sub-Experiment Station as follows; viz:

For Root Cellar and other improvements.....	\$ 750.00
For Brood Mares .....	1,000.00
Total.....	\$1,750.00

§ 2. EMERGENCY.] Whereas, an emergency exists in that part of this money is needed for immediate use, this law shall be in force and effect after its passage and approval.

Approved March 17, 1911.

---

### CHAPTER 37.

[H. B. 276—O'Connor of Pembina.]

---

#### IMPROVEMENTS FOR BLIND ASYLUM.

AN ACT to Provide for Making Needed Improvements for the North Dakota Blind Asylum at Bathgate, and making an Appropriation therefor.

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

§ 1. For the purpose of making needed improvements for the North Dakota Blind Asylum, at Bathgate, there is hereby

appropriated the following sums for the uses following, to-wit:

For stable and root house .....	\$ 800
For cows .....	75
For improvements of grounds.....	200
Total .....	\$1,075

§2. EMERGENCY.] Whereas, it is needed and necessary that the improvements enumerated above should be made prior to July 1st, therefore, an emergency exists, and this act shall take effect and be in full force from and after its passage and approval.  
Approved March 17, 1911.

## CHAPTER 38.

[H. B. No. 300—Fox]

### IMPROVEMENT OF CAPITOL GROUNDS.

AN ACT Providing for the Erection of a Standpipe Near the Capitol Building, the Sinking of One or More Wells, the Improvement of the Capitol Grounds, the Purchase of a Pump and Necessary Machinery to Operate Same and Making an Appropriation Therefor.

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

§ 1. It shall be the duty of the board of trustees of public property immediately after the passage of this act to construct a standpipe near the capitol building, sink one or more wells, purchase a pump and the necessary machinery to operate the same, for the purpose of furnishing a supply of water to the capitol building and grounds, and cultivate the capitol grounds and plant trees and otherwise improve the same; and for the purpose of making such improvements the board of trustees of public property is authorized to require the warden of the state penitentiary to furnish such convict labor as in the judgment of the board, it may require.

§ 2. The state auditor is hereby authorized to audit the bills of the board of trustees of public property and draw his warrant on the state treasurer for the same. There is hereby appropriated out of any moneys in the capitol building fund, the sum of not to exceed \$7,500.00 for the purpose of carrying out the provisions of this bill.

§ 3. An emergency exists, therefore this bill shall be in full force and effect after its passage and approval.

Approved March 17, 1911.

## CHAPTER 39.

[H. B. No. 351—Price]

## SALARY OF LAND COMMISSIONER.

AN ACT to Amend and Re-Enact Section 164 of the Revised Codes of North Dakota for 1905, Relating to Salary of State Land Commissioner.

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

§ 1. AMENDMENT.] Section 164 of the Revised Codes of North Dakota for 1905, is hereby amended to read as follows:

§ 164. SALARY OF COMMISSIONER.] The commissioner shall receive an annual salary of three thousand dollars.

§ 2. EMERGENCY.] Whereas, an emergency exists, this act shall take effect from and after its passage and approval.

Approved March 17, 1911.

## CHAPTER 40.

[H. B. No. 29—Davis]

AN ACT to Provide for the Establishment and Maintenance of a Department of Agriculture, Manual Training and Domestic Economy in State High, Graded and Consolidated Schools.

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

§ 1. SCHOOLS TO MAINTAIN DEPARTMENT OF AGRICULTURE. HOW DESIGNATED.] Any state high school, graded or consolidated rural school having satisfactory rooms and equipment, and having shown itself fitted by location and otherwise to do agricultural work, may, upon application to the high school board be designated to maintain an agricultural department.

§ 2. REQUIREMENTS.] Each of such schools shall employ trained instructors in agriculture, manual training and domestic science, (including cooking and sewing), and have connected therewith, so long as they shall enjoy the benefits of this act, a tract of land suitable for a school garden and purposes of demonstration, and containing not less than ten acres and located within one mile of school buildings.

§ 3. INSTRUCTION TO BE OFFERED.] Instruction in the industrial department herein provided shall be free to all residents of this state. Where necessary to accommodate a reasonable number of boys and girls able to attend only in the winter

months, special classes shall be formed for them. Said department shall offer instruction in soils, crops, fertilizers, drainage, farm machinery, farm buildings, breeds of live stock, stock judging, animal diseases and remedies, production, testing and hauling of milk and cream, the manufacture of butter and cheese, the growth of fruit and berries, management of orchards, market garden and vegetable crops, cereal grains, fine seeds, book-keeping and farm accounts and all other matters pertaining to general practice.

§ 4. Each of said schools shall receive state aid in the sum of two thousand five hundred dollars and its proportionate share of all moneys appropriated by the national government for the teaching of elementary or secondary agriculture in the public or high schools of this state, but shall not participate in the state aid now being given to the state high schools. Not more than five schools shall be aided the first year nor more than five be added to the list every two years thereafter.

§ 5. APPROPRIATION.] For carrying out the provisions of this act there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated: For the year ending June 30, 1912, the sum of \$12,500. For the year ending June 30, 1913, the sum of \$12,500. Provided, that no more than one school in any county shall be added to the list of state schools receiving state aid under this act in any two years.

§ 6. EXTENSION TO RURAL SCHOOLS.] For the purpose of extending the teaching of agriculture, home economies and manual training to pupils in rural schools, and for the purpose of extending the influence and supervision of state high or graded schools over rural schools, one or more rural schools may become associated with any state high or graded school maintaining a department of agriculture, whether or not such high or graded school has been designated by the state agricultural high school board to receive aid under the provisions of this act. Any such high or graded school shall, for the purpose of this act, be known as a central school.

§ 7. HOW EFFECTED.] To effect this, proceedings shall be had by petition and election on the part of the rural school or schools as now provided by law for the consolidation of school districts and ballots to vote upon this proposition shall read:

To associate with District No.....for the teaching of agriculture and manual training. Yes.....  
 No.....

The district or districts casting a majority vote upon the approval of such association by a majority of the school board of the central school become so associated and the rural school

or schools together with the central school shall thereafter be known as the associated school of.....for the teaching of agriculture and manual training.

§ 8. TAXES. HOW LEVIED.] The members of the various school boards of the associated schools shall meet on the third Monday in June of each year at the central school building to act as a board of review and to examine into the amount of money expended in each department of work herein provided for and to determine the amount of tax which shall be levied on the associated rural school district or districts for the purpose of maintaining courses of instruction as provided in section 3 of this act and for the purpose of extending such instruction to the pupils of the associated rural schools. Provided, however, that the tax shall not be less than one mill nor more than four mills in the various rural school districts in the association and such tax shall be in addition to other general and special school taxes in such rural districts. The amount of such tax shall be certified by the chairman of the meeting to the county auditor to be by him extended against the property in the respective districts and when collected by the county treasurer, such tax shall be paid to the treasurer of the central school who shall furnish the board of review full and detailed statement of all moneys received and expended.

§ 9. CENTRAL BOARD. HOW ORGANIZED.] The school board of each rural district associated with a central school under the provisions of this act shall designate one of its members by vote to act with the school board of the central school in carrying out the provisions of this act as to the teaching of agriculture, domestic economy and manual training in such schools and in all matters pertaining to such instruction both in the central school and in the associated rural schools, such member shall have equal power with the member of the school board of the central school.

§ 10. DUTIES OF PRINCIPAL.] The principal or superintendent of the central school shall have and exercise the same authority and supervision over the rural schools as over the central school. He shall prepare for the associated rural schools a suitable course of study embodying training and instruction in agriculture and such subjects as are related to farm life and can be successfully taught in rural schools.

§ 11. HOW TERMINATED.] The relationship and obligations between the associated rural school or schools and the central school may be terminated at any annual school meeting by a majority vote of the associated districts, but not until the central school has had at least one year's notice of the intention to vote on the question.

PARTIAL VETO.

Bismarck, March 18, 1911.

To the Honorable, the Secretary of State :

I file herewith house bill No. 29, an act to provide for the establishment and maintenance of a department of agriculture, manual training, and domestic economy in state high, graded and consolidated schools, with my approval except as to the item \$12,500 for the year ending June 30, 1912. This item is vetoed for the reason that the revenues of the state have been exceeded by the appropriations.

JOHN BURKE,  
Governor.

CHAPTER 41.

[H. B. No. 145—Ploybar]

APPROPRIATION VALLEY CITY NORMAL SCHOOL.

AN ACT to Provide for Making Permanent Improvements at the State Normal School at Valley City, to Assist in the Maintenance Thereof, and for Other Purposes, and Making Appropriations Therefor.

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

§ 1. APPROPRIATION.] For the making of permanent improvements at the state normal school at Valley City, to assist in the maintenance thereof, and for other purposes, the following sums of money, or so much thereof as may be necessary, are hereby appropriated from any funds in the state treasury not otherwise appropriated, viz:

For a building for Industrial Arts.....	\$25,000.00
For the erection of a barn.....	2,000.00
For the repair and painting of present buildings.....	3,000.00
For the improvement of grounds.....	1,000.00
For furniture, apparatus and equipment.....	3,000.00
For library purposes.....	1,000.00
For partial maintenance July 1, 1911 to June 30, 1913	45,000.00

Total .....\$80,000.00

§ 2. EMERGENCY.] Inasmuch as a portion of these funds will be needed for the purposes mentioned before the first of July, 1911, therefore an emergency exists and this act shall be in force from and after its passage and approval.

## PARTIAL VETO.

Bismarck, March 18, 1911.

To the Honorable, the Secretary of State:

I file herewith house bill No. 145, an act to provide for making permanent improvements at the state normal school at Valley City, to assist in the maintenance thereof, and for other purposes and to make an appropriation therefor, with my approval except as to the items, For the erection of a barn \$2,000. For improvement of grounds \$1,000, which items are vetoed for the reason that the appropriations exceed the revenues of the state.

JOHN BURKE,  
Governor.

## CHAPTER 42.

[H. B. No. 72—Cunningham]

## APPROPRIATIONS FOR GLANDERED ANIMALS.

AN ACT to appropriate the Sum of Sixty Thousand Dollars, or as Much Thereof as May be Necessary to Indemnify Persons Who Have Lost Animals from the Disease Known as Glanders.

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

§ 1. APPROPRIATION.] There is hereby appropriated the sum of sixty thousand dollars, or as much thereof as may be necessary, out of the moneys in the state treasury, not otherwise appropriated, for the purpose of paying approved claims now on file or that may hereafter be filed in the state auditor's office, asking for indemnity for horses, geldings, mares, asses and mules killed or destroyed on account of being affected with the disease known as glanders, according to house bill numbered two hundred twenty-five, passed by the tenth legislative assembly of the state of North Dakota, being an act indemnifying the owners for animals killed or destroyed, according to law, for being affected with the disease known as glanders.

§ 2. EMERGENCY.] An emergency exists in this that animals have been killed, claims approved, and there is no designated fund out of which the warrants to be issued for such claims can be paid, therefore this act shall take effect and be in force from and after its passage and approval.

Approved March 18, 1911.

## CHAPTER 43.

[H. B. No. 206—Whitmer]

AN ACT to Incorporate and Establish the Missouri Slope Agriculture and Fair Association and Making an Appropriation Therefor.

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

§ 1. PURPOSE OF AND LOCATION PERMANENTLY FIXED AT MANDAN.] For the purpose of promoting and improving the condition of agriculture, horticulture, mechanical manufacturing and household arts, a Missouri Slope Agriculture and Fair Association fair or exposition shall be held annually at the city of Mandan, in the state of North Dakota, subject to the conditions hereinafter named, and the location of the Missouri Slope Agriculture and Fair Association as herein provided, is hereby declared to be permanent.

§ 2. CONDITIONS TO BE COMPLIED WITH BY MANDAN.] If an organization, to be known and designated as the Missouri Slope Agriculture and Fair Association for Mandan, or by some similar name, shall be during the year 1911, created and organized under and pursuant to the general laws of this state, in relation to corporations, with a paid up capital stock of not less than twenty thousand dollars, such association shall become entitled to receive the appropriations hereinafter named upon the conditions set forth in this article. The said association may acquire the title to not less than forty acres of ground in the city of Mandan, in said state, and such association may, and it is hereby empowered and authorized to convey the title to the land so acquired by it, unto the state of North Dakota, which property, when so conveyed, shall be held by the state of North Dakota forever for the following purposes and no other: For the purpose of exhibiting thereon, under the management of such association, or its successors, annually, the agricultural, stock breeding, horticultural, mining, mechanical, industrial and other products and resources of the state of North Dakota, including proper exhibits of the arts, sciences and all other public displays pertinent to and dependent upon exhibitions and expositions of human art, industry and skill. The said association may use so much of its paid-up capital stock as may be necessary for the acquisition of title to the land so to be purchased by it for use as fair ground, and the balance thereof shall be and constitute a fund toward the construction of buildings and other permanent improvements thereon.

§ 3. CUSTODY AND CONTROL OF MANDAN GROUNDS.] The custody and control of the premises upon which said fair at Mandan is

located shall be vested in said Missouri Slope Agriculture and Fair Association for Mandan, and the general offices thereof shall be located and maintained either upon the premises so acquired or at some suitable place in the city of Mandan, and said association is hereby authorized, required and empowered to maintain its said offices as aforesaid wherein shall be contained the property and records of such association, and the entire care, custody, management and control of said premises and the structures thereon shall be vested in said association.

§ 4. GOVERNOR AND ATTORNEY GENERAL TO ACCEPT TITLE. FAILURE OF STATE APPROPRIATIONS LAND REVERTS TO ORIGINAL OWNERS. BOARD OF DIRECTORS.] When the state of North Dakota accepts the title to the land so acquired by said association, which acceptance shall be made by the governor and attorney general thereupon, and not before such time, shall the deed of conveyance of said property to the state be accepted and recorded. Should the state of North Dakota cease to appropriate the sum of at least two thousand five hundred dollars annually in connection with said fair, then the title of said premises shall revert to and become the property of the association that transferred the same to the state; provided, further, that the state shall never become liable for any of the debts and liabilities of said association, save as appropriations shall be made therefor from time to time by the legislative assembly. The provisions of this article shall not become binding upon the state as to said fair association until the stockholders of such association shall adopt and file with the secretary of state an irrevocable by-law consenting and providing that its board of directors shall consist of fifteen persons; that the governor, commissioner of agriculture and labor and the state auditor shall ex-officio, constitute three of such directors; that five of the directors of such association shall be residents of the judicial district in which said fair is to be held, and that one director shall be selected from each other judicial district of the state, and shall be a resident of the same.

§ 5. APPOINTMENT AND DUTIES OF EXECUTIVE COMMITTEE.] The board of directors of said fair association shall appoint an executive committee, which shall keep an accurate account of the expenditures of all moneys appropriated to it by the state and of all other receipts and expenditures, and shall collect, arrange and collate all the information in their power in relation to the nature and preparation of soils, the cultivation and growth of crops, the breeding and management of stock, the application and character of manure and fertilizers, the introduction of new cereals and other grains and other agricultural subjects, and report the same together with a statement of their doings and such account of their expenditures, to the governor on or prior

to the first day of January each year following the holding of a fair, such report to be audited by the governor, commissioner of agriculture and labor, and the auditor, and by the governor laid before the legislative assembly. All moneys hereby appropriated shall be paid over to the treasurer of the association on the order of the president attested by the secretary.

§ 6. GENERAL APPROPRIATION.] There is hereby appropriated out of the funds of the treasury of the state of North Dakota not otherwise appropriated, the sum of two thousand five hundred dollars annually to be expended by and under the supervision of the directors of said association.

§ 7. CONDITIONS BINDING ON STATE.] The provisions of this article shall not become binding or effective upon the state as to such association until the stockholders of such association shall adopt a by-law expressly accepting and agreeing to all of the conditions hereof, and file a certified copy of said by-law with the secretary of state.

§ 8. EMERGENCY.] Whereas, without an emergency clause this bill would go into effect too late to hold a fair during the year 1911, and in order that said association may become at once incorporated, therefore an emergency is hereby declared to exist, and this act shall take effect from and after its passage and approval.

Approved March 18, 1911.

---

#### CHAPTER 44.

[H. B. No. 155—Fasett]

---

##### STATE TUBERCULOSIS SANITARIUM.

AN ACT To Provide for the Establishment, Equipment and Government of a State Tuberculosis Sanitarium and Making Appropriation therefor.

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

§ 1. There is hereby established a Sanitarium known as the North Dakota State Tuberculosis Sanitarium for the treatment of pulmonary tuberculosis, to be built upon the site secured at Dunseith in the County of Rolette in said state by the temporary board provided for in Chapter 137 of the Laws of 1909.

§ 2. BOARD OF TRUSTEES.] The general supervision and government of this sanitarium shall be vested in a board of trustees which shall consist of five members appointed by the governor, one of whom shall be a member of the State Board of Health, and at least two other members shall be licensed physicians, graduates of a reputable medical college, and who shall hold

their offices for the term of one, two, three, four and five years respectively, beginning with the first day of April, 1911, and continuing until their respective successors are appointed and qualified. Previous to the first day of April in each year thereafter the governor shall appoint one member to hold office for the term of five years beginning with the first day of April of the year of his appointment and continuing until his successor is appointed and qualified. Any member of the board of trustees may be removed by the governor for such cause as he may deem sufficient and any vacancy occurring from any cause in said board shall be filled as hereinbefore provided for the unexpired term. No member of the board of trustees shall receive any compensation for his services but all expense incurred in the discharge of his official duties shall be paid from the current expense fund of the institution upon the presentation of vouchers properly certified.

§ 3. All matters pertaining to the financial management of the Sanitarium, including the erection and equipment of buildings and the maintenance of the institution shall be under the immediate direction of the board of trustees.

§ 4. The appointment and removal of the superintendent of the Sanitarium and his compensation shall be fixed by the board of trustees. The superintendent of the Sanitarium shall appoint subject to the approval of the board of trustees such medical assistance as the board of trustees may consider necessary. All other employes necessary for the sufficient management of the institution shall be selected by the superintendent. The number of employes and compensation for such medical assistance and employes shall be determined by the board. The superintendent shall have general charge of the sanitarium and grounds, and the direction, control and discipline of all persons, employes and patients. He shall maintain salutary discipline among all employes and patients of the Sanitarium and enforce strict obedience to all rules and regulations of the institution. All rules and regulations relating to the conduct of patients and employes shall be formulated by the superintendent subject to the approval by the board of trustees. The superintendent shall cause complete records to be kept of all persons admitted as patients, which record shall show the period of treatment of each patient, and shall submit to the board reports of the institution in such form as the board may require. The superintendent shall also submit a biennial report to the board giving in detail the methods of treatment of patients, results accomplished and a general account of conditions existing at the institution. Such report shall be included in and made a part of the biennial report of the board, and such board may authorize the printing of a number of copies of the separate report of such institution, which number shall

not exceed 1,000 and charges for the printing of said separate copies to be paid in the same manner as the reports of the various departments of the state are paid.

§ 5. ADMISSION TO THE SANITARIUM.] All persons affected with pulmonary tuberculosis may be admitted to said hospital but incurable patients must be kept separate and apart from the curable under rules and regulations to be prescribed by the superintendent. Applicants for admission to the Sanitarium shall be examined at various places throughout the state designated by the board. Such examinations shall be made by the regular authorized medical examiner, or examiners, of such institution, who shall be a citizen or citizens of the State of North Dakota, and whose duty it shall be to examine all persons applying for admission to the Sanitarium. The fee of the examining physician shall not exceed four dollars in any case, said amount to be paid by the applicant. If the applicant is unable to pay such fee, then such fee shall be a charge against the county in which the patient resides. Said examining physician shall be appointed by the board of trustees.

§ 6. COST OF MAINTENANCE OF PATIENTS. HOW PAID.] All patients admitted as patients to the Sanitarium shall pay to said institution the cost of their maintenance. The charges for any patient or patients may, however, be paid by any person or persons or society. The determination of each sum shall be made by the superintendent with the approval of the board of trustees. Any person who is unable to pay the charges for his or her support may be admitted to the Sanitarium if it has been determined by the examining physician that such person is suffering from pulmonary tuberculosis, provided, however, that before such person shall be admitted to the Sanitarium, he or she shall have a statement from the judge of the county court of the county within which he or she resides setting forth the fact that he or she is unable to pay the regular charges. Said judge, upon the presentation of the report of the duly authorized examining physician that such person is afflicted with pulmonary tuberculosis, shall make an investigation and if he finds that such applicant or his legal representatives are actually unable to pay such charges, shall approve in writing the application of such person. Said judge shall immediately forward to the superintendent of the Sanitarium a certificate in writing that such patient is unable to pay said charges and that he or she is a resident of the county in which such application has been so approved, the county from which such patient has been so certified shall be charged with the maintenance of such patient at the rate of five dollars per week during the time that he or she remains in said institution as an inmate. Such charge shall be collected in the manner provided in Chapter 137 of the Session

Laws of 1907, provided, however, the admission of every patient shall be subject to the final approval of the Superintendent and the board of trustees. And any person who may be unable to pay the full charge for maintenance may be received upon paying the amount charged for county patients, if the board of trustees shall first find that the patient has truly represented the circumstances and is really unable to pay more than the amount charged for county patients.

§ 7. BOARD OF TRUSTEES MAY ACCEPT GIFTS, DONATIONS, ETC.] The board of trustees is empowered to accept as a trustee any gift, donation or funds from any other source, whether subject to the special provisions of the donors or not, and such gifts, donations, or funds shall be placed to the credit of the tuberculosis sanitarium fund and expended by the board of trustees in accordance with the terms of the gift or donation if any, and if no terms are imposed, then for the general maintenance of the institution.

§ 8. APPROPRIATION.] To carry into effect the purposes specified in this act there is hereby appropriated out of any moneys in the treasury not otherwise appropriated or so much thereof as may be necessary, the following sums of money:

For administration building.....	\$25,000
For the erection of cottages .....	3,000
For maintenance .....	5,000
For equipment .....	1,000
For purchase of live stock and poultry.....	1,000
For barn .....	500
<b>Total.....</b>	<b>\$37,500</b>

Provided, however, the appropriation for maintenance shall not be available until the institution is opened for patients.

Approved March 18, 1911.

## CHAPTER 45.

[H. B. No. 123—Fraine]

### APPROPRIATION FOR A STOREHOUSE.

AN ACT Making an Appropriation for a Storehouse on the Rock Island Military Wood Reservation near Devils Lake, North Dakota.

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

§ 1. APPROPRIATION.] The sum of six thousand dollars is hereby appropriated out of any money in the State treasury not

otherwise appropriated, for the erection of a storehouse on the Rock Island Military Wood Reservation near Devils Lake, North Dakota.

§ 2. EMERGENCY.] Whereas, an emergency exists in that there is at present no provision for storing the tentage and other camp equipage of the North Dakota National Guard, and great danger exists of the same rotting and otherwise deteriorating unless properly stored, this law shall be in full force and effect after its passage and approval.

Approved March 18, 1911.

---

#### CHAPTER 46.

{H. B. No. 190—Fox.}

---

#### PROVIDING FOR AID TO THE POOR.

AN ACT Providing for Aid to the Poor, Consisting of Persons Convicted of Crime Who Have Been Placed upon Probation Subject to the Provisions of Law, or Who Have Been Paroled, or Whose Term of Imprisonment has Expired, and Making an Appropriation Therefor. Whereas, it is Provided by the Laws of this State that Persons Convicted of Crime may, under Certain Conditions, be Placed upon Probation or Paroled, and, Whereas, it is Required as a Condition of such Probation or Parole that such Person shall have Secured Employment, and, Whereas, no Provision has Been Made by Law for Rendering Assistance to such Person or to Persons Whose Term of Imprisonment in the State Penitentiary is About to Expire, in Securing Employment, and Whereas, Failure to Make such Provision Works undue Hardships upon such Persons Who are Worthy Poor and Deserving of Such Assistance, and, Whereas, the Society for the Friendless has Special Facilities for Furnishing such Assistance, Therefore

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

§ 1. ASSISTANCE TO PERSONS CONVICTED OF CRIME PROVIDED FOR. APPROPRIATION.] The Superintendent of the Society for the Friendless, Division of North Dakota, is hereby authorized and empowered by virtue of his office to render assistance in securing employment for poor persons convicted of crime who are placed upon probation, or paroled, or whose term of imprisonment in the state penitentiary is about to expire. It shall be his duty to visit such persons at the penitentiary of this state where he shall be for such purpose practically one day each week, or wherever they may be, to consult with them regarding employment and to secure employment for them within the state. There is hereby appropriated the sum of five hundred twenty dollars annually, which shall be audited and allowed and paid out of the

general fund to the Superintendent of the Society for the Friendless, monthly, in the same manner as other expenses of the government are paid, to defray his expenses in rendering such service.

§ 2. EMERGENCY.] There being no provision for the rendering of the service provided for in this act, an emergency exists, and this act shall take effect and be in full force from and after its passage and approval.

Approved March 18, 1911.

## CHAPTER 47.

[H. B. No. 337—Jordal]

### APPROPRIATION FOR COMMISSIONER OF AGRICULTURE AND LABOR.

AN ACT Making an Appropriation for Carrying into Effect Provisions of Law, Relating to the Duties of the Commissioner of Agriculture and Labor.

Whereas, false and misleading reports have been circulated, detrimental to the best interests of this state regarding the failure of crops, and the financial condition of its farmers, and

Whereas, there is now pending before Congress a bill which, if it becomes a law, will remove the tariff on all grain raised in Canada and permit the same to be imported into this country, free of duty, which will work an irreparable injury to North Dakota, and retard immigration and possibly reduce land values, and

Whereas, Canada appropriates over a million dollars annually to induce citizens of the United States to become inhabitants of the Dominion, and is sending its emissaries to all parts of this country to distribute broadcast, literature portraying what it has to offer the people who desire to change their location, and

Whereas, the Agricultural Department during the past six years has extensively and profitably advertised the resources of this state, and has placed in a favorable manner the many excellent advantages North Dakota offers to the settlers, and

Whereas, the said Agricultural Department has through the many exhibits it has made of North Dakota products at the different state and county fairs held in eastern states, and by the distribution of literature containing a description of the state, succeeded in inducing many thousands of people to locate within its borders, and

Whereas, North Dakota was one of the first of the northwestern states to inaugurate the plan of exploiting and advertising its resources, and has

taken a front rank in securing an intelligent and progressive class of new settlers, and attracted the attention of all parts of the world, and

Whereas, adjoining and other western states have realized the value of the advertising done and the exploitations made by North Dakota, are appropriating for these purposes immense sums of money to stem the tide of immigration to this state and induce eastern settlers to locate within the confines of their respective states, as well as to prevent their people from moving to North Dakota; therefore,

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

§ 1. APPROPRIATION.] There is hereby appropriated out of any moneys in the hands of the treasurer, not otherwise appropriated, the sum of fifteen thousand dollars, or so much thereof as may be necessary, to carry into effect all laws relating to the publication of the advantages offered to settlers and investors for lands in the state of North Dakota; provided, that the money hereby appropriated shall be used only for the publication of such literature and the circulation thereof, and the making of such exhibits of the resources of the state in such localities only as may, in the judgment of the commissioner of agriculture and labor, seem advisable.

§ 2. AUDITING BOARD TO APPROVE EXPENDITURES.] All plans and expenditures by the commissioner of agriculture and labor for carrying out the provisions of the law, for which this appropriation is made, shall first be approved by the governor, auditor and attorney general, or a majority of the state auditing board, of which the foregoing named officials are members.

§ 3. EMERGENCY.] An emergency exists in that there are now no funds in the hands of the treasurer available for carrying out the provisions provided in this act, therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 18, 1911.

---

## CHAPTER 48.

[H. B. No. 52—Johns]

---

AN ACT To appropriate Money for the Buildings, Live Stock, Machinery, and other equipment for the Hettinger Sub-experiment Station.

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

§ 1. APPROPRIATION.] There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, for the Hettinger sub-experiment station located at Hettinger, Adams County, the following sums of money:

For breeding horses and other farm animals.....	\$ 1,300
For the purchase of machinery and harnesses.....	300
For the erection of an addition to seed house for machine shed .....	200
For well and supplies .....	150
For the erection of a seed house and purchase of farm seeds .....	400
<b>Total .....</b>	<b>\$ 2,350</b>

§ 2. **EMERGENCY.]** As the live stock, machinery, seeds and other improvements must be provided for as soon as spring opens, an emergency exists; therefore this act shall take effect upon its passage and approval.

Approved March 18, 1911.

#### CHAPTER 49.

[H. B. No. 109—Johnson]

##### APPROPRIATION FOR STATE FISH HATCHERY.

**AN ACT** Appropriating Money to Provide Needed Equipment, Permanent Improvements, Repairs, Employees' Wages, Officers' Salaries, Messengers, Railway Fares and Express Charges, in the Transportation of Fish, for the North Dakota State Fish Hatchery at Fish Lake in Rolette County, North Dakota.

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

§ 1. **APPROPRIATION.]** For the necessary equipment, improvements and repairs for the North Dakota Fish Hatchery, there is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, the sum of seventeen hundred dollars, as follows:

For clearing, fencing and improving grounds.....	\$ 1,000.00
For ice box, coils and receiving trough.....	250.00
For cement and material for dams.....	250.00
For paints, oil and varnish .....	100.00
For specially constructed spring wagon to haul fish cans	100.00

**Total.....** \$ 1,700.00

§ 2. **APPROPRIATION.]** For employees wages, officers' salaries, messengers, railway fares and express charges in transporting fish of the said state fish hatchery, there is hereby appropriated the sum of two thousand dollars, out of any moneys in the state treasury, not otherwise appropriated.

§ 3. EMERGENCY.] Whereas, it is important that the provisions of this act shall be in effect prior to July 1st, an emergency exists and this act shall take effect from and after its passage and approval.

Approved March 18, 1911.

CHAPTER 50.

[H. B. No. 122—Ployhar]

APPROPRIATION FOR STATE NORMAL SCHOOL.

AN ACT To Provide Furniture for the new Dormitory, and to Complete and Make Adequate the Heating Plant of the State Normal School at Valley City, and Making Appropriation Therefor.

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

§ 1. APPROPRIATION.] That the following sums of money, or so much thereof as may be necessary, are hereby appropriated from any funds in the State Treasury not otherwise appropriated. Viz:

To pay for the furniture in the new Dormitory and to complete the furnishing, the sum of.....	\$ 7,100
To install additional boilers and to complete the heating plant of the State Normal School.....	8,000
Total .....	\$15,100

§ 2. EMERGENCY.] Whereas, an emergency exists in that the heating plant is not now adequate to heating the buildings, and dormitories of the State Normal School, and whereas, certain furniture necessary to the occupancy of the dormitory for the present school year has not been paid for, therefore, an emergency exists, and this act shall be in force from and after its passage and approval.

Approved March 3, 1911.