

kill any work or food producing animal, the property of another with intent to injure the owner or hinder him in any agricultural operations, or to lessen the country's food supply, shall be guilty of sabotage in the first degree, and upon conviction thereof, shall be imprisoned in the penitentiary from one year to life.

§ 2. Any person who shall during the period the United States is engaged in the present war attempt to commit any act, which attempt if successful would constitute sabotage in the first degree; or who with the purpose of hindering or delaying the harvesting or threshing of any crop, shall inflict injury upon any farm machinery either directly or by placing foreign substance in any grain to be harvested or threshed thereby; or who with intent to hinder or hamper the government of the United States in the prosecution of or preparation for such war shall in any other manner destroy any other property shall be guilty of sabotage in the second degree, and upon conviction thereof shall be punished by imprisonment in the penitentiary for not less than one year and not more than twenty years.

§ 3. Any crime as defined herein committed within the period prescribed by this act shall be punished under the terms hereof through conviction or final judgment thereon or both may take place or be imposed after the termination of such period.

§ 4. EMERGENCY.] Whereas the country is engaged in war and great danger exists that efforts will be made to destroy its food supply, it is necessary for the protection of public health, peace and safety that this Act should take effect from and after its passage and approval, the same shall become effective immediately after its approval by the Governor.

Approved January 30, 1918.

## SEED, GRAIN AND FEED

### CHAPTER 13.

[H. B. No. 1—Maddock of Mountrail.]

#### BONDS AND WARRANTS FOR SEED GRAIN.

An Act to Amend and Re-enact Sections 3471-3472-3473-3476-3477-3478-3479-3480-3481-3482-3483-3484-3486-3487 and 3488 of the Compiled Laws of North Dakota for the year 1913, Authorizing Counties to issue Bonds and Warrants to Procure Seed Grain and Feed for Needy Inhabitants Therein and Providing for the Issuance of Bonds and Warrants for Seed Grain by Counties and Aid by the State in respect thereto, and making an Appropriation Therefor.

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

§1. AMENDMENT.] That Section 3471 of the Compiled Laws of North Dakota, 1913, is hereby amended and re-enacted so as to read as follows:

§ 3471. BONDS AUTHORIZED. PETITION FOR. TIME TO RUN.]

In any county of the state where the crops for any preceding year have been a total or partial failure by reason of drouth, hail or other cause, it shall be lawful for, and it shall be the duty of the board of county commissioners of such county to issue the bonds of the county under and pursuant to the provisions of this article, and with the proceeds derived from the sale thereof, to purchase seed grain and feed for the inhabitants thereof who are in need of seed grain and feed, and are unable to procure the same, whenever said board shall be petitioned in writing so to do by not less than fifty freeholders resident in the county; and said board at a meeting called as hereinafter provided to consider said petition, shall by a majority vote determine that the prayer of the petitioners should be granted; provided, that all such petitions shall be filed with the county auditor on or before the twenty-fifth day of February; and thereupon it shall be the duty of said officer to forthwith call a meeting of the board of county commissioners of his county to consider said petition; and provided, further that the total amounts of bonds issued by any county under the provisions of this article shall not, with the then existing indebtedness of the county, exceed the limit of indebtedness fixed by the constitution in such case; that said bonds shall be in denominations of from one hundred to five hundred dollars; shall bear a rate of interest not exceeding six per cent per annum, payable semi-annually at such place and time as shall be determined by the board, and that all bonds issued under the provisions of this article shall become due and payable in not less than one nor more than five years from the date thereof, the date of maturity to be fixed by the county board at the time of the issuance thereof with the above limitation.

§ 2. AMENDMENT.] That Section 3472 of the Compiled Laws of North Dakota for 1913 is hereby amended and re-enacted so as to read as follows:

§ 3472. BONDS, HOW EXECUTED.] Such bonds shall be signed by the chairman of the board of county commissioners and be attested by the county auditor, who shall affix the seal of the county thereto and shall have indorsed thereon a certificate signed by the county auditor, stating that said bonds are issued pursuant to law and are within the debt limit.

§ 3. AMENDMENT.] That Section 3473 of the Compiled Laws of North Dakota for 1913, is hereby amended and re-enacted so as to read as follows:

§ 3473. BONDS, HOW SOLD OR DISPOSED OF.] Immediately after it has been determined to issue bonds or warrants for any county the county auditor shall notify the Commissioner of Agriculture and Labor, giving full particulars. Thereupon, the Commissioner of Agriculture and Labor shall act for and on behalf of the board of county commissioners in the sale or disposition of any bonds to be sold. He shall receive sealed proposals for the purchase of such bonds or any part thereof, after giving at least ten days notice in one leading daily newspaper within this state,

in two leading daily newspapers without this state, at financial centers, and one newspaper within the county for which bonds are to be issued, together with such other publicity as in his discretion is deemed advisable. He shall sell the bonds of each county separately to the highest bidder for cash but he shall not sell them for less than par, and he may reject any or all bids or postpone the sale from time to time, not exceeding ten days, or in his discretion he may call for new bids, provided, however, that said commissioner may sell or dispose of said bonds or any part thereof to the state of North Dakota or any board thereof, without receiving proposals therefor, or giving notice, as hereinbefore provided, but he shall not sell them for less than par.

§ 4. AMENDMENT.] That section 3476 of the Compiled Laws of North Dakota for 1913, is hereby amended and re-enacted so as to read as follows:

§ 3476. TAX LEVIED FOR SINKING FUND. BONDS REGISTERED.] For the purpose of securing prompt payment of the principal and interest of said bonds, there shall be levied by the board of county commissioners at the time and in the manner other taxes are levied, such sums as shall be sufficient to pay such interest, and in addition thereto a sinking fund tax shall be annually levied sufficient to pay and retire said bonds at their maturity, and it shall be the duty of the county treasurer to pay promptly the interest upon the said bonds as the same shall fall due. No tax or fund provided for the payment of such bonds, either principal or interest, shall at any time be used for any other purpose; provided, however, that the board of county commissioners may deposit any part or portion of the sinking fund herein provided for, in any bank furnishing satisfactory security to the state of North Dakota, which shall furnish to the county a bond of indemnity to be approved by the board, and receive interest on the same which shall be credited to the sinking fund. It shall be the duty of the treasurer when said bond or any coupons attached thereto are paid, to cancel the same by writing upon the face thereof the word "paid" and the date of payment. Before the bonds are delivered to the purchaser, the treasurer of the county shall register them in a book to be provided for that purpose, known as the bond register, in which register he shall enter the number of each bond, its date, date of maturity, amount, rate of interest, to whom and where payable; provided that said treasurer shall receive a per centum at the discretion of the county commissioners, not to exceed one per cent for the receiving and disbursing of the amount received from the sale of said bonds, said per centum to be covered into the treasury as a part of the salary fund. The board of county commissioners may issue warrants instead of bonds, as now provided by law for the issuance of warrants before this act became effective, if in their judgment the best interests of the county are thereby served; provided, that such warrants shall not be issued in any amount to exceed five per cent of the assessed valuation of such

county, provided; further, that such warrants shall not be sold below par; and provided, further, that such warrants shall not be term warrants.

§ 5. AMENDMENT.] That Section 3477 of the Compiled Laws of North Dakota for 1913, is hereby amended and re-enacted so as to read as follows:

§ 3477. PROCEEDS USED EXCLUSIVELY TO PURCHASE SEED GRAIN AND FEED.] The fund arising from the sale of said bonds shall be applied exclusively by the said board for the purchase of seed grain and feed, for residents of the state who farm land within the county who are unable to procure the same; provided that the county commissioners shall determine the amount of seed and feed or either, which each applicant shall receive, and provided further, that the county auditor shall issue to each applicant an order for the number of bushels of each kind of seed grain, together with the amount of feed, that has been allowed by the board, to be furnished to any one applicant.

§ 6. AMENDMENT.] That Section 3478 of the Compiled Laws of North Dakota for 1913, is hereby amended and re-enacted so as to read as follows:

§ 3478. COMMISSIONERS MAY ISSUE WARRANTS FOR PURCHASE.] In providing for the purchase of seed grain and feed or either, the commissioners may in lieu of issuing bonds, order warrants drawn upon the general fund of the county to pay for the seed grain purchased under the general provisions of this article; provided, that such warrants shall not be sold below par, and provided, further, that such warrants shall not be term warrants.

§ 7. AMENDMENT.] That Section 3479 of the Compiled Laws of North Dakota for 1913, is hereby amended and re-enacted so as to read as follows:

§ 3479. APPLICATION FOR AID, HOW MADE.] All persons entitled to, and wishing to avail themselves of the benefit of this article, shall file with the county auditor, on or before the twentieth day of March an application duly sworn to before said county auditor, or some other officer authorized to administer oaths. Said application shall contain a true statement of the number of acres the applicant has plowed or prepared for seeding; how many acres the applicant intends to have plowed or prepared for seeding; how many bushels and what kind of grain he will require to seed the ground so prepared as aforesaid; how many bushels of grain the applicant harvested in the preceding year, and the amount, and kind of grain and feed that he has in his possession; that the applicant has not procured and is not able to procure the necessary seed grain for the current year; that he desires the same for seed and feed and no other purpose, and that he will not sell or dispose of the same or any part thereof, but will use the same and the whole thereof in seeding the land prepared or to be prepared for crop; that the applicant will seed the wheat and rye before May twentieth, and all other grain before June tenth, except grain sown

for fodder purposes may be sown up to June twentieth. Said application shall also contain a true and full description of all the real and personal property owned by the applicant, and the encumbrances thereon; and a true description by government subdivisions of the land upon which the applicant intends to sow said seed grain. All applications filed under the provisions of this article shall be consecutively numbered and shall be open to public inspection, and no application shall be considered by the board of county commissioners except such as have been made and filed in the manner prescribed in this section; provided, that the board of county commissioners may in their discretion consider any application although made after the time so specified. If the applicant is a renter the owner of the land shall sign the application with him, unless an exception is made by the county commissioners in such instance.

§ 8. AMENDMENT.] That Section 3480 of the Compiled Laws of North Dakota for 1913, is hereby amended and re-enacted so as to read as follows:

§ 3480. ADJUSTMENT OF APPLICATION, COUNTY COMMISSIONERS MAKE.] The board of county commissioners of each county issuing bonds or warrants under the provisions of this article are hereby appointed and constitute a board of examination and adjustment of the applications for seed grain and feed filed under the preceding section, and it shall be the duty of said board to meet at the county auditor's office within ten days after the filing of said petition, or as soon thereafter as possible, to examine and consider separately each application filed under the provisions of this article, and to determine who are entitled to the benefits thereof, and the amount to which each applicant is entitled, and said board shall on or before the twenty-fifth day of March, deliver and file with the county auditor, its adjustment of the said applications, which shall be signed by the chairman of the board.

§ 9. AMENDMENT.] That Section 3481 of the Compiled Laws of North Dakota for 1913, is hereby amended and re-enacted so as to read as follows:

§ 3481. CONTRACT FOR REPAYMENT. DELINQUENT PAYMENTS EXTENDED ON TAX LIST. PLACED IN JUDGMENT.] The county auditor of each county shall as soon as the county commissioners, shall have performed the duty prescribed in the preceding sections issue to each applicant demanding it an order for the number of bushels of each kind of seed grain and amount of feed which has been allowed to said applicant, unless otherwise directed by the Board or the Chairman thereof; provided, however, that said order shall not be delivered until said applicant shall have signed a contract in duplicate, which contract shall have the same force and effect as a promissory note, attested by the county auditor to the effect that said applicant for and in consideration of the.....bushels of seed grain and.....of feed received from

.....County, promise to pay to said county  
 .....dollars, the amount of cost of said  
 seed grain and feed; that the amount of such indebtedness shall become due and payable on the first day of October in each year, in which said seed grain and feed is furnished together with interest, on such amount from the date of the bonds provided for herein, at the rate not to exceed six per cent per annum, and if such indebtedness be not paid on or before the fifteenth day of October in that year it shall then be the duty of the county auditor of said county to cause the amount of said indebtedness to be entered upon the tax lists of said county then in the hands of the county treasurer as a lien against the land owned by the applicant for which said seed and feed were furnished, to be collected as taxes are, and the sum so entered and levied shall be a lien upon the real estate owned by said person, for which said seed and feed were furnished, until said indebtedness is fully paid, when it shall be the duty of the proper officer to cancel the same: provided, that such indebtedness shall not be subject to the penalty provided for taxes, nor shall it bear a greater rate of interest than six per cent per annum.

Provided further, that if the applicant is a renter the owner of the land shall also sign the contract with him, except in case where an exception is made by an order on the board of county commissioners, and where the owner signed such contract, the county shall in addition have a lien upon all real estate of such owner upon which said seed and grain was sown.

If such indebtedness be not paid on or before November first, of such year, or if the sheriff shall have reason to believe that any person who shall have received aid under this act is about to remove from the county, or is about to sell and dispose of his grain without first paying to the county the amount due, it shall be his duty to take and sell a sufficient amount of grain of such applicant to pay such indebtedness, including the cost of seizure, in the same manner as now provided for the collection of taxes in Section 2166 of the Compiled Laws of North Dakota for 1913.

It shall be the duty of the County Treasurer to collect said notes as they fall due and upon payment of the same to satisfy the lien in the office of the register of deeds and return the note to the debtor.

It shall further be the duty of the county treasurer to deliver to the state's attorney a statement of all contracts which remain unpaid on the first day of January, following the said year, and it shall be the duty of the state's attorney to immediately in behalf of and in the name of said county to commence an action for the placing of such indebtedness in judgment, or for the foreclosure of the lien securing any of said notes in accordance with the laws providing for the foreclosure of liens or of mortgages.

§ 10. AMENDMENT.] That Section 3482 of the Compiled Laws

of North Dakota, 1913, is hereby amended and re-enacted so as to read as follows:

§ 3482. CONTRACT MADE FIRST LIEN.] Under the filing of the contracts provided for in Section 3480, the county shall acquire a just and valid lien upon the crops of grain and feed raised each year by the person receiving seed grain and feed to the amount of the sum then due to the county upon said contract, which shall as to the crops covered thereby have priority over all other liens and incumbrances thereon, except threshers and labor liens.

The county shall in addition have a lien, if the owner of the real estate has signed the application and note, upon all real estate described in the application upon which said grain is to be sown, which shall have priority over all encumbrances except those existing at the time this act goes into effect. And the filing and recording of said contract shall be held and considered to be full and sufficient notice to all parties of the existence and extent of said lien upon said crops of grain and feed raised, and upon said land, which shall continue in force until the amount covered by said contract shall be fully paid.

§ 11. AMENDMENT.] That Section 3483 of the Compiled Laws of North Dakota, 1913, is hereby amended and re-enacted so as to read as follows:

§ 3483. TREASURER TO GIVE NOTICE.] On the first day of October following the furnishing of any seed or feed under the provisions of this act, the county treasurer shall mail to each person having obtained aid under the provisions of this act, a statement of the amount which will be due upon his note on the date it becomes due.

§ 12. AMENDMENT.] That Section 3484 of the Compiled Laws of North Dakota, 1913, is hereby amended and re-enacted so as to read as follows:

§ 3484. PENALTY FOR MISUSE OF SEED FURNISHED.] Any person or persons, who contrary to the provisions of this article, sell, transfer, take or carry away, or in any manner dispose of the seed grain and feed or any part thereof, furnished by the county under this Act, or shall use or dispose of said grain and feed or any part thereof, for any other purpose than that of planting or sowing and feeding the same as stated in this application, or shall sell, transfer, take or carry away, or in any manner dispose of the crop, or any part thereof, produced from the sowing or planting of said seed grain, shall be guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than fifty dollars, nor more than one thousand dollars, or may be imprisoned in the county jail for a term of not less than ninety days, and shall pay all the costs of prosecution, and whoever under any of the provisions herein shall be found guilty of false swearing shall be deemed to have committed perjury and shall upon conviction suffer the pains and penalties of that crime, and upon the filing of said application in the office of the register of deeds, and the sowing of the seed obtained there-

under, any seizure thereof or interference therewith, except by the application and those in his employ, for the purpose of harvesting, threshing and marketing the same to pay the debt as aforesaid, shall be deemed a conversion thereof.

§ 13. AMENDMENT.] That Section 3486 of the Compiled Laws of North Dakota, 1913, is hereby amended and re-enacted so as to read as follows:

§ 3486. COUNTY AUDITOR TO NOTIFY FARMERS.] Whenever a bond or warrant issue has been determined upon by the board of county commissioners, it shall be the duty of the county auditor, forthwith, to give notice by mail of that fact to all farmers whose names appear on the assessment and tax lists, whether owners or renters, informing them that application blanks may be had from the county auditor, and that assistance will be given by him in filling out said blanks.

If more seed grain is applied for than can be supplied by the commissioners under the provisions of this article, a pro rata distribution shall be made by them among those who shall have been found entitled to the benefits of this article. The commissioners shall have the right to refuse any application which they may deem improper to grant, and they may revise their adjustment of applications at any time before final distribution.

§ 14. AMENDMENT.] That Section 3487 of the Compiled Laws of North Dakota, 1913, is hereby amended and re-enacted so as to read as follows:

§ 3487. GRAIN FURNISHED AT COST.] It shall be the duty of the commissioners providing seed grain and feed under the provisions of this article, to purchase the same at the lowest price at which suitable grain can be obtained, and to furnish the same to applicants at the actual cost thereof to the commissioners, with transportation and handling charges added, if any there be, and any person requiring or extorting from any applicant a greater price shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by fine or imprisonment, or both, as the court may determine. Any official or any agent of any official, who conspires with others to make any profit directly or indirectly out of the transaction for himself or for them, or accepts or extorts from any applicant a greater price than that authorized therein, shall be guilty of a felony, and upon conviction shall be sentenced to the penitentiary for a term of not less than one nor more than five years.

§ 15. AMENDMENT.] That Section 3488 of the Compiled Laws of North Dakota, 1913, is hereby amended and re-enacted so as to read as follows:

§ 3488. SINKING FUND.] All money received by the county treasurer in payment of debts incurred under the provisions of this article, shall be paid into, and become a part of the sinking fund herein provided for, and be used exclusively in the payment of bonds or warrants issued hereunder.

§ 16. SELECTION AND PURCHASE OF GRAIN AND FEED.] Immediately after the board of county commissioners has made an estimate of the amount of seed grain or feed or both required, it shall notify the commissioner of agriculture and labor, and he shall assist and co-operate with the board in procuring said grain and feed. The board may advertise for offers of seed grain or feed or both, in one or two newspapers within the county, and give the same such other publicity as it may deem advisable. Where price and quality are equal, preference shall be given to grain and feed offered for sale within the county.

The board and the commissioner of agriculture and labor shall take samples from the grain offered which in their judgment is most suitable for seed, and shall transmit them to the state seed commissioner at the agricultural college for analysis and germination test. The state seed commissioner shall make a prompt report of such test, classifying the samples as to their fitness for seed, which report shall be filed in the county auditor's office and in the office of the commissioner of agriculture and labor, and shall be open to public inspection.

No contract shall be made for any lot of seed grain which in its viability (growth power), its varietal purity, and its freedom from noxious seeds, is unsatisfactory for use as bulk seed for sowing the general crop.

After the grain has been delivered to the board of county commissioners a second test shall be made, if in the opinion of the commissioner of agriculture and labor time permits, before it is distributed to the farmers. In no event shall any grain be sold to the farmers by the county as seed which is unsuitable for the growing of the general crop.

§ 17. UNIFORM BLANKS.] The commissioner of agriculture and labor shall prepare such uniform blanks as he shall deem necessary for the purpose of this act and supply the same to the county auditor of any county issuing bonds.

§ 18. Any county that has issued any bonds or had any proceedings heretofore with a view of issuing its bonds under chapter 24 of the Political Code of the Compiled Laws of North Dakota for 1913, shall upon the passage and approval of this act come under and proceed according to the provisions of this act. No bonds issued or proceeding had heretofore under chapter 24 of the Political Code of the Compiled Laws of North Dakota for 1913, shall be invalidated or in any manner made void by this act.

§ 19. APPROPRIATIONS.] There is hereby appropriated from any monies in the state treasury not otherwise appropriated, to the commissioner of agriculture and labor the sum of three thousand dollars or so much thereof as may be necessary, and to the state seed commissioner the sum of one thousand dollars, or so much thereof as may be necessary, for analysis, tests, inspections, clerical assistance, traveling expenses, stationery, postage, express and such

other expenses as may be by them deemed necessary in carrying out the provisions of this act.

§ 20. INTENTION OF THE ACT.] Whereas it is necessary and proper that the state of North Dakota in its sovereign capacity should enact suitable legislation to aid and assist, destitute and needy farmers, who by reason of drouth, rust, hail or other cause are unable to purchase seed grain or feed to farm lands within the State of North Dakota and whereas, it is necessary in the best interest of the state to protect such needy and destitute farmers that aid be given as herein provided, therefore, it is the intention of this act to give aid and assistance to such farmers and that this act shall be liberally construed to effectuate that purpose and if for any reason any part or portion thereof shall be declared to be unconstitutional it shall not affect the other part or portion thereof.

§ 21. EMERGENCY.] Whereas an emergency exists in that there has been a crop failure in many parts of the state, and no adequate relief is provided for by law, and whereas it is necessary for the immediate preservation of public peace, health and safety that immediate relief be given, therefore this act shall take effect and be in force from and after its passage and approval.

Approved January 30, 1918.

## CHAPTER 14.

[S. B. No. 4—Drown.]

### UNIFORM STATE GRADE OF GRAIN.

An Act Creating a Uniform State Grade of Wheat, Oats, Barley, Flax and all other Grains, Seeds and Agricultural Products; Creating and Establishing the Office of State Inspector of Grades, Weights and Measures and Providing for the Appointment of Deputy State Grain Inspectors and Providing for State Aid for Marketing Facilities and the Establishment of State-owned Marketing Places and Providing for Inspection of Licensed Warehouses by Competent Accountants and Expert Grainmen, and Authorizing the Employment of such Accountants, and Making an Appropriation Therefor; and Providing Penalties for the Violation of any of the Provisions of this Act.

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

§ 1. STATE INSPECTION OF GRADES, WEIGHTS AND MEASURES.] The Commissioners of Railroads, of North Dakota, shall appoint a member of the faculty of the North Dakota Agricultural College (who shall be an expert in the grading and weighing of all kinds of grain, seeds, and other agricultural products) to be the State Inspector of Grades, Weights and Measures and shall receive in addition to his other compensation the sum of \$1,000 per annum. It shall be the duty of said Inspector to proceed at once to define and establish proper grades and weights for grain, seeds and other agricultural products, also for flour meal and products made therefrom, which grades and weights shall be approved by the Commissioners of Railroads.

§ 2. CLERICAL HELP.] The Commissioners of Railroads shall authorize the employment of such clerical help as is necessary for carrying out the provisions of this Act, and determine the compensation to be paid for such service. The State Inspector of Grades, Weights and Measures shall name and select such clerical help as is authorized by the Commissioners of Railroads; provided, such clerical help and other expenses shall not exceed the sum of \$15,000 per annum to be paid out of the state public grain grading and weighing fund on vouchers submitted to the state auditing board and approved by the Commissioners of Railroads.

§ 3. GRADES TO BE PUBLISHED.] The State Inspector of Grades, Weights and Measures shall cause said formula or scale of grades, weights and measures to be published in not more than five newspapers of general circulation in the State of North Dakota, two of which shall be devoted to the benefits of agriculture and three shall be papers of general circulation.

The said standards of grades shall be published each year not later than August first.

§ 4. DEPUTY INSPECTORS. HOW APPOINTED.] The State Inspector of Grades, Weights and Measures shall appoint and designate a chief deputy grain inspector who shall be stationed at the Agricultural College and shall have power to appoint skilled and competent deputies, who shall be stationed at any town or place where grain, seed and other agricultural products are marketed; provided that the town or community where such deputy is stationed shall at their own expense provide a suitable building and scales for housing said deputy, and the upkeep of said building and scales shall be borne by the state out of funds secured on account of fees collected for inspecting and weighing.

§ 5. DUTIES OF DEPUTIES, GRAIN INSPECTION.] It shall be the duty of the deputy to weigh, inspect and grade all grain, seeds and produce that shall be offered for sale at said market place, and to issue a signed certificate stating the kind, grade and weight of such grain, seeds or produce; also the amount of dockage, if any, and such other facts as he may find relative to its condition. It shall also be the duty of said deputy to accurately sample and grade carload shipments destined for some central market either within or outside the state, and to make and attach a signed inspection certificate to a sealed package containing the sample, and forward same to a deputy in charge of said central market.

§ 6. PUBLIC WAREHOUSE INSPECTORS.] The Railroad Commissioners shall appoint such number of inspectors of public warehouses as may be necessary, who shall be men of expert and practical knowledge of the grain business; who shall visit the public warehouses in the state for the purpose of ascertaining whether a sufficient bond is in force to protect the holders of storage tickets for grain stored therein; whether such institution is amply protected by insurance; to advise with local managers and board of directors as to proper methods of accounting; to assist local ware-

housemen in making proper reports, and to enforce the rendering of annual or other reports required by the Railroad Commissioners; to see that all laws as regards public warehouses are complied with, and to advise and assist local warehousemen in any way that will make for efficiency and for the safety of the grain marketing business of the state. Should such inspectors find any condition prevailing in any public warehouse that would impair the safety of such institution, they shall report same to the Board of Railroad Commissioners and to the local board of directors of the institution in question. Failure to remedy such condition will empower the Board of Railroad Commissioners to suspend the license of such warehouse, or in extreme cases, if after full notice, and reasonable time being allowed to comply with the instructions of the Board of Railroad Commissioners such local warehouse refuses to remedy said complaint; the Board of Railroad Commissioners shall cancel the license of such warehouse.

§ 7. CENTRAL MARKETS. HOW ESTABLISHED.] The Commissioners of Railroads may establish as they see fit central markets for the display of samples of grain, seeds and other agricultural products, and may install a deputy in charge of said central markets at the cities of Duluth, Saint Paul and Minneapolis, in the State of Minnesota, also Superior, Wisconsin; Fargo, Fairmount, Wahpeton, and Grand Forks, North Dakota, and such other stations as in the judgment of the Commissioners of Railroads shall be necessary to provide adequate marketing facilities; that said markets shall be open to any and all persons desiring to buy or sell on said market, and that the charges for said services shall be fixed and determined by said Commissioners of Railroads. They shall also establish uniform fees for grading, weighing, inspecting and selling. All of said fees so collected shall be paid into the treasury of the state of North Dakota. They shall also fix the salary or compensation to be paid to deputies and employees. They shall also provide a system of bonding said deputies and other employees. They shall also require that any and all persons purchasing or receiving grain on consignment at a central market shall give an indemnity bond in a sufficient sum to fully protect the seller against fraud or loss. They shall also formulate rules and regulations governing the conduct of all public warehouses where grain, seed and other agricultural produce is bought, sold or received for storage, and such warehouses shall be bonded in a sum sufficient to amply protect all persons transacting business with them against loss.

§ 8. LICENSES FOR BUYERS.] Said State Inspector of Grades, Weights and Measures may with the approval of the Commissioners of Railroads, license as deputy inspector the buyer or agent of a privately owned warehouse, provided that said deputy inspector shall pass such examination as to competency as may be prescribed, and give a bond in a sufficient amount, as required according to

regulations prescribed by the State Inspector of Grades, Weights and Measures.

All licenses issued to deputy inspectors in private warehouses shall be for the term of one year.

The conditions of such licenses shall require the holders thereof to well and truly fix grades and actual dockage of all grains inspected by them at their respective places of business and to correctly weigh the products so inspected and graded.

§ 9. LICENSES POSTED.] Each licensee shall cause his license to be posted in a permanent and conspicuous place at his regular place of business, and shall not be authorized to inspect, grade, or weigh grain at other places, except with the approval of the Commissioners of Railroads.

§ 10. FEES AND LICENSES.] The Inspector of Grades, Weights and Measures, shall collect a fee of ten dollars (\$10.00) for each license issued. Licenses shall be subject to suspension by the Inspector of Grades, Weights and Measures or his Chief Deputy for gross and wilful violation of the provisions of this act or incompetency and said Inspector shall at once notify the Board of Railroad Commissioners of such suspension and said Board shall at once hold a hearing and if the cause of such suspension is substantiated, the license of the licensee shall be cancelled, and all expenses caused by such hearing shall be paid from the State Public Grain Grading and Weighing Fund. Providing that the owner or owners of the elevator of which the license of the buyer has been suspended shall have the power to appoint a temporary buyer without a license pending such hearing.

It shall be unlawful for any person operating a public warehouse to purchase, weigh, grade or inspect grain or seed who is not licensed as deputy inspector, provided that any person without a license may buy any article that has been graded, weighed and inspected by a deputy State Inspector of Grades, Weights and Measures.

§ 11. APPEALS. HOW MADE.] The State Inspector of Grades, Weights and Measures shall receive all appeals from the decision of all deputy inspectors under such rules as shall be approved by the Commissioners of Railroads for re-inspection, and the State Inspector of Grades, Weights and Measures shall consider the flour and bread producing qualities where such final decision is necessary.

§ 12. MISDEMEANOR. FINES.] Any person violating any of the provisions of this Act shall be guilty of a misdemeanor and for the first offense shall pay a fine of not less than ten dollars and not more than one hundred dollars, or be confined in the county jail not less than ten days nor more than thirty days, or both such fine and imprisonment.

For each succeeding offense he shall pay a fine of not less than one hundred dollars, or more than five hundred dollars or be confined to the county jail not less than thirty days or more than ninety days, or both such fine and imprisonment.

§ 13. APPROPRIATION. INSPECTION FEES. WAREHOUSE.] Any appropriations that have been heretofore made for the purpose of carrying out the provisions of this Act shall remain in full force and effect. The State Inspector of Grades, Weights and Measures may fix a fee for the grading, sampling, inspecting and weighing of grain and seed, by the chief deputy or the deputy State Grain Inspectors, but no fee shall be charged by a licensed inspector of a privately owned warehouse. All fees collected by the Inspectors shall be turned into the State Public Grain Grading and Weighing Fund.

§ 14. EMERGENCY.] Whereas it is necessary for the immediate preservation of public peace, health and safety that immediate relief be given, therefore this Act shall take effect and be in force from and after its passage and approval.

Approved January 30, 1918.