

Sec. 7. DUTY OF COUNTY AGENT.) It shall be the duty of the county agent of each county to aid, assist and advise the County Commissioners and the residents of each county in carrying out the provisions of this Act.

Sec. 8. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval.

Approved March 7, 1919.

## HERD LAW

### CHAPTER 140.

(S. B. No. 86—Hagan.)

#### HERD LAW.

An Act to Repeal Sections 2619, 2620 and 2621, Compiled Laws of North Dakota for the Year 1913, and to Amend and Re-enact Sections 2618 and 2622, Compiled Laws of North Dakota for the Year 1913, Relating to the Herd Law, and Prescribing the Damages.

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

Sec. 1. AMENDMENT.) Section 2618, Compiled Laws of North Dakota for the year 1913, is hereby amended and re-enacted to read as follows:

Sec. 2618. HERD LAW. HOW AND WHEN SUSPENDED.) The Board of County Commissioners of each county in the State shall establish stock districts including all territory within the county for the purposes hereinafter provided. The boundaries of districts so established shall follow township lines. A district may consist of one or more congressional townships or the entire county may be made to comprise one district and all districts shall be subject to the jurisdiction of the Board of County Commissioners for the purposes of this Act. Upon petition of sixty per cent of the electors of any such district as determined by the whole of the number of votes polled at the general election last held therein excluding those votes cast within the corporate limits of any city, town or village within such district, being filed in the office of the County Auditor asking that stock be permitted to run at large between certain dates specified in such petition, it shall be the duty of the Board of County Commissioners of such county, within ten days thereafter, at a regular or special meeting to declare by resolution that stock may run at large within the limits of said district between the dates named in said petition, except within the corporate limits of any city, town or village, but no stallion, jack, boar, ram, bull or any animal known to be vicious shall be permitted to run at large at any time. Said resolution shall state the date of its taking effect and the date of its dis-

continuance, which dates shall correspond to those found in the petition hereinbefore provided for, and said resolution shall be effective to permit stock to run at large between said dates of the year or years named only. Provided that if sixty per cent of the electors of any district as determined by the whole number of voters polled at the general election last held therein, excluding those votes cast within the corporate limits of any city, town or village therein, shall file a petition in the office of the County Auditor asking that such resolution be revoked, it shall be the duty of the Board of County Commissioners of said county, within ten days thereafter at any regular or special meeting, to revoke the previous resolution declaring that stock may run at large.

Sec. 2. AMENDMENT.) Section 2622, Compiled Laws of North Dakota for the year 1913, is hereby amended and re-enacted to read as follows:

Sec. 2622. WHEN FENCES SHALL BE SUFFICIENT AND LAWFUL.) In any stock district in which the Board of County Commissioners shall have declared by resolution that stock may run at large between certain dates, a fence constructed as hereinafter described shall be sufficient and lawful.

Sec. 3. Any person, firm, association or corporation whose stock shall trespass upon the premises of another, or whose stock shall inflict damages to the crops or other property of another during the closed season shall be liable for the actual damages sustained, together with statutory costs and reasonable attorneys fees, to be allowed by the court.

Sec. 4. REPEAL.) Sections 2619, 2620 and 2621, Compiled Laws of North Dakota for the year 1913, and all Acts and parts of Acts in conflict herewith, are hereby repealed.

Approved February 28, 1919.

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## HIGHWAY COMMISSION

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### CHAPTER 141.

(H. B. No. 170—Brostuen.)

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#### STATE HIGHWAY COMMISSION.

An Act Amending and Re-enacting Sections 1, 2 and 8 of Chapter 131, Laws of North Dakota for the Year 1917, Relating to the Creation of a State Highway Commission, Defining its Duties and Powers and Authorizing Said Commission to Purchase Right of Ways, Materials and Machinery for the Construction of Highways; Providing for the Co-operation of Said Commission with the State Educational Institutions; Amending and Re-enacting Section 2976-o as Amended by Chapter 131 of the Session Laws of North Dakota for the Year 1917; Declaring an Emergency, and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

Sec. 1. AMENDMENT.) That Section 1 of Chapter 131 of the