
SEED GRAIN AND FEED

CHAPTER 54.

[H. B. No. 4—W. J. Maddock.]

SEED GRAIN AND FEED.

An Act to Amend and Re-enact Section 3471 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Section 1 of Chapter 13 of the Laws of the Special Session of the State of North Dakota for the Year 1918; Amending and Re-enacting Section 3473 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Section 3 of Chapter 13 of the Laws of the Special Session of the State of North Dakota for the Year 1918; and Amending and Re-enacting Section 3481 of the Compiled Laws of North Dakota for the Year 1913 as Amended and Re-enacted by Section 9, Chapter 13 of the Laws of the Special Session of the State of North Dakota for the Year 1918 and as Amended and Re-enacted by Section 1 of Chapter 177 of the Laws of North Dakota for the Year 1919, Relating to the Issuance of Bonds and Warrants to Procure Seed Grain and Feed for Needy Inhabitants; Making an Appropriation Therefor; and Repealing All Acts and Parts of Acts in Conflict Therewith.

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

§ 1. Section 3471 of the Compiled Laws of North Dakota for the year 1913, as amended and re-enacted by Section 1 of Chapter 13 of the Laws of the Special Session of the State of North Dakota for the year 1918, to be amended and re-enacted to read as follows:
§ 3471. . AMENDMENT.] In any county of the State where the crops 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 in 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 the meeting called as hereinafter provided to consider said petition, shall by a majority vote determine that the prayer of petitioners shall be granted; provided that all such petitions shall be filed with the County Auditor at any time between the first day of November of any crop failure year and the 25th of February of the succeeding year; 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 amount 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 denomination 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 agreed upon by the Commissioners of Agriculture and Labor and the purchaser, and that all bonds issued under the provision 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, provided that the township supervisors shall advise with the commissioners concerning the application of applicants from their township, with the above limitation.

§ 2. That Section 3473 of the Compiled Laws of North Dakota for the year 1913 as amended and re-enacted by Section 3 of Chapter 13 of the Laws of the Special Session of the State of North Dakota for the year 1918 be amended and re-enacted to read as follows:

§ 3473. AMENDMENT. 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; provided, further, however, that the Commissioner of Agriculture and Labor may make a reasonable allowance for printing, advertising, brokerage and attorney's fees.

§ 3. That Section 3481 of the Compiled Laws of North Dakota for the year 1913 as amended by Section 9 of Chapter 13 of Laws of the Special Session of the State of North Dakota for the year 1918 as amended and re-enacted by Section 1 of Chapter 177 of the Laws of North Dakota for the year 1919, be amended and re-enacted to read as follows:

§ 3481. AMENDMENT.] The County Auditor of each county shall, as soon as the County Commissioners shall perform the duties prescribed in the preceding sections, issue to each applicant demand-

ing it, an order for the number of bushels of each kind of seed grain and amount of feed which has been allowed said applicant, unless otherwise directed by the Board, or the chairman thereof; provided that in no event shall seed be so furnished for more than one hundred and sixty (160) acres of the actual number of acres owned and cultivated by such applicant; provided however, the Commissioners may furnish seed for two-thirds ($\frac{2}{3}$) of the remaining number of acres actually owned and cultivated by such applicant; provided further, 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 or by a Notary Public to the effect that said applicant for and in consideration of bushels of seed grain and of feed from county, promises to pay the said county Dollars, the amount of the 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 of not to exceed 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 where an exception is made by the order of the Board of County Commissioners, and where the owner signed such contract, the county shall have in addition a lien upon all of the real estate of said owner upon which said seed and grain was sown.

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 Board of County Commissioners a statement of all contracts which remain unpaid on the first day of January in the year following. At any time such contracts fall due, it shall be the duty of the Board of County Commissioners when it deems such action advisable to order the States Attorney to immediately commence an action in behalf of and in the name of said County for the placing of such indebtedness in judgment or for the foreclosure of the lien in accordance with the laws providing for the foreclosure of mortgages by advertisements.

Provided, in cases where the enforcement of such payment would work great hardship the Board of County Commissioners may extend the date for payment of such debtor's contract from time to time; provided, further, that in no case shall any extension be given beyond the time stipulated for the payment of bonds issued to provide the seed grain or feed furnished by the County to any such debtor.

§ 4. APPROPRIATIONS.] There is hereby appropriated from any moneys in the State Treasury not otherwise appropriated, to the Commissioner of Agriculture and Labor the sum of Three Thou-

sand 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.

§ 5. All Acts and parts of Acts in conflict herewith are hereby repealed.

§ 6. 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 8:30 p. m. December 11, 1919.

SOLDIERS' FUND

CHAPTER 55.

[H. B. No. 2—Committee on State Affairs.]

INCREASING LEVY AND PURPOSES.

An Act to Amend and Re-enact Section 1 and Section 3 of Chapter 206 of the Session Laws of 1919, Relating to the Levying of a Tax of One-half of One Mill Upon Each Dollar of Assessed Valuation of All Taxable Property Within the State for Each Year for the Purpose of Creating a Fund to Be Known as the "Returned Soldiers' Fund"; Providing for the Payment Thereof to Returned Soldiers; Defining the Powers and Duties of the Adjutant General and of the Industrial Commission With Reference Thereto.

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

§ 1. That Section 1 of Chapter 206 of the Session Laws of 1919 is hereby amended and re-enacted to read as follows:

§ 1. AMENDMENT.] There shall be levied upon each dollar of assessed valuation of all taxable property within this state for the year 1920, and every year thereafter, to be paid during said years, three-fourths of one mill, and all such revenues as may be collected thereby shall be paid into a special fund to be known as the "Returned Soldiers' Fund," which fund shall be paid to returned soldiers as compensation and shall be used for the following and no other purposes: (a) To secure a home or a farm home and improve, furnish or repair same; (b) To make payments on pre-existing indebtedness on such home or farm home or on any improvements or furniture connected therewith; (c) To procure farm machinery, seed grain, livestock, poultry and feed for same, and to pay off any pre-existing liens or mortgages against same; (d) To establish, or invest in, a business or trade, including the tools of a craftsman or to pay off any pre-existing indebtedness, mortgage or liens