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## INITIATED MEASURES

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### SUNDAY BASEBALL.

For an Act to Amend and Re-enact Section 9238 of the Compiled Laws of North Dakota for the year 1913, Relating to Sports on the First Day of the Week.

*Be It Enacted by the People of the State of North Dakota:*

§ 1. AMENDMENT.] That Section 9238 of the Compiled Laws of North Dakota for the year 1913, is hereby amended and re-enacted so as to read as follows:

§ 9238. Prohibited Sports Enumerated. All shooting, sporting horse racing or other public sports, circuses and street carnivals on the first day of the week are prohibited; provided, however, that the game of baseball when conducted in a quiet and orderly manner so as not to interfere with the peace, repose and comfort of the community, may be played between the hours of one p. m. and six p. m. on the Sabbath day. Provided, further, that no game of baseball shall be played on the first day of the week with five hundred feet of any church edifice.

§ 2. REPEAL.] All acts and parts of acts in conflict herewith are hereby repealed.

Approved March 16, 1920. 26,681 to 24,885.

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### RED OR BLACK FLAGS.

AN ACT regulating the display of flags, ensigns, banners and standards within the State of North Dakota; making the display of said flags, ensigns, banners and standards a misdemeanor and providing a penalty therefor.

Provides that no flag other than the national flag, or a state flag, or the friendly flags of foreign nations, shall be carried in parade on any thoroughfare in the state, or exhibited in any public place, or on any vehicle, or building, or in any public manner.

Prohibits displaying in any parade or exhibition, in any public place or upon any vehicle or building, any red flag or black flag or banner, or ensign, having upon it any inscription opposed to the United States or State Government or the use of which would tend to occasion a breach of the public peace.

Makes the violation of the act a misdemeanor punishable by thirty days imprisonment or one hundred dollar fine, or both.

*Be It Enacted by the People of the State of North Dakota:*

§ 1. Carrying in Parade, or the Display of Certain Flags, Ensigns, Banners and Standards, Prohibited. No flag of any nation, state,

county or territory other than the National flag or a State flag, or the flag of a friendly foreign nation, or the dependencies of such nations, shall be carried in parade on any public street or highway within the State of North Dakota or exhibited in any hall or public place, or displayed or exhibited on any vehicle, or on any building or premises, or in any other manner in public within the State.

§ 2. RED OR BLACK FLAGS, ETC., PROHIBITED.] No red or black flag, and no banner, ensign, or sign having upon it any inscription opposed or antagonistic to the existing Government of the United States, or of the State of North Dakota, or the use or display of which would tend to occasion a breach of the public peace, shall be carried or displayed in any parade, on any public street or highway in the State of North Dakota, or exhibited in any hall or public place or upon any vehicle or any building or premises or in any other manner in public within the State.

§ 3. PENALTY.] Any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by imprisonment in the county jail, not exceeding thirty days or by a fine of not exceeding One Hundred Dollars or by both such fine and imprisonment.

Approved June 30, 1920. 74,634 to 41,009.

#### BOARD OF AUDITORS.

AN ACT amending Section 369 of the Compiled Laws of 1913, so as to include therein the requirement that the state board of auditors shall semi-annually examine the accounts, books, vouchers and funds, and ascertain the assets and liabilities of all industrial institutions and make public the results of said examination.

Amends Section 369 of the Compiled Laws of 1913 so as to require the state board of auditors to examine and audit the accounts, books and vouchers, and ascertain the assets and liabilities of all industrial institutions at least twice in each year, and make report thereof to the Governor, and make the same public.

*Be It Enacted by the People of the State of North Dakota:*

§ 1. That Section 369 of the Compiled Laws of the State of North Dakota for the year 1913 be hereby amended and re-enacted to read as follows:

§ 369. (MEMBERS OF BOARD.) There is hereby created a board of auditors for the State of North Dakota which shall consist of the secretary of state, the state auditor, and the attorney general, whose duty it shall be to examine and audit the accounts, books and vouchers of the state treasurer, and of the Bank of North Dakota and of all other industrial institutions of the state, and to take an account and ascertain the amount of funds in the state treasury or belonging to the state, and to take an account and ascertain the assets and liabilities of the Bank of

North Dakota and of all other industrial institutions of the state, at least twice in each year without previous notice to the treasurer, or to the officials of said state institutions and make report thereof, and of their acts and doings in the premises, to the governor, and make the same public, and also to witness and attest the transfer and delivery of accounts, books, vouchers and funds by any outgoing treasurer, or bank manager, or manager of any industrial institution, to his successor in office, and report the same to the governor, and the failure or neglect of the aforesaid board of auditors, or any member thereof, to do and perform any of the acts at the time, or times, and in the manner in this section provided for, shall constitute and be misdemeanor in office. The board is authorized and empowered to employ such expert accountants as it may deem necessary to carry out the provisions of this section.

Approved November 2, 1920. 118,269 to 102,238.

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**BANK OF NORTH DAKOTA LOANS.**

**AN ACT limiting real estate mortgage loans by the Bank of North Dakota to actual farmers who are residents of this state.**

**Prohibits real estate mortgage loans to any person excepting actual resident farmers.**

**Repeals all acts or parts of acts inconsistent therewith.**

*Be It Enacted by the People of the State of North Dakota:*

§ 1. The Bank of North Dakota shall make real estate loans only to actual farmers who are residents of this state.

§ 2. All acts and parts of acts in conflict herewith are hereby repealed.

Approved November 2, 1920. 116,608 to 105,348.

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**DEPOSIT OF PUBLIC FUNDS.**

**AN ACT amending the Bank of North Dakota Act providing for the deposit of all state, county, township, municipal and school district funds, and funds of all penal, educational and industrial institutions, and all other public funds in the Bank of North Dakota.**

**Amends Section 7 of Chapter 147 of the laws of 1919, so as to omit the requirement that all local public funds shall be deposited in the Bank of North Dakota.**

*Be It Enacted by the People of the State of North Dakota:*

§ 1. That Section 7 of Chapter 147 of the Laws of the State of North Dakota for the year 1919 be amended and re-enacted to read as follows:

§ 7. All state funds, and funds of all state penal, educational and industrial institutions shall be, by the persons having control of such funds, deposited in the Bank of North Dakota.

Approved November 2, 1920. 114,022 to 106,853.

## OFFICIAL NEWSPAPERS.

AN ACT amending the law providing for the designation of county and municipal official newspapers in each county in the state and prescribing the manner of their selection and duties.

Defines the duties of official newspapers and designates what notices and publications are to be published therein.

Amends Section 5 of Chapter 187 of the laws of 1919 so as to omit the requirement that all summonses, notices, orders and other process in court actions, or that notices of foreclosure or statements of banks and other corporations, must be published in the official county newspaper.

*Be It Enacted by the People of the State of North Dakota:*

§ 1. That Section 5 of Chapter 187 of the Laws of the State of North Dakota for the year 1919 be amended and re-enacted to read as follows:

§ 5. DEFINING DUTIES OF SUCH OFFICIAL NEWSPAPER.] Such official newspaper as shall be chosen by the voters in said county as the state, county and municipal official newspaper therein, shall publish all official proceedings of the Board of County Commissioners in said county and all other notices and publications that are now required by law to be published by county officers; all publications of every nature that now are, or may hereafter be, required to be published by state officers, elective or appointive. Provided, however, that in organized cities, towns and villages where no official newspaper is published, said city, town or village, board, council or commission may designate an official newspaper for the publication of such notices and legal publications as are now or hereafter may be required by law for said cities, town and villages, including legal notices and official statements of the schools within such cities, towns and villages, but, in cities, town or villages where the state, county and municipal official newspaper is published such official notices and legal publications as are now or may hereafter be required by law to be published, shall be published in such official newspaper.

Approved November 2, 1920. 114,320 to 105,961.

## SUPERINTENDENT OF PUBLIC INSTRUCTION.

AN ACT amending Section 1109 of the Compiled Laws of 1913 so as to confer upon the superintendent of public instruction the duty of supervising the certification of teachers, standardization of schools, preparation of courses of study and examinations for eighth grade and high school pupils, and repealing all acts or parts of acts inconsistent therewith.

Amends Section 1109 of the Compiled Laws of 1913, so as to empower the superintendent of public instruction to supervise the certification of teachers, standardization of schools, preparation of courses of study and examination of pupils.

Repeals all acts or parts of acts inconsistent therewith.

*Be It Enacted by the People of the State of North Dakota:*

§ 1. That Section 1109 of the Compiled Laws of the State of

North Dakota for the year 1913, be hereby amended and re-enacted to read as follows:

§ 1109. (Prescribe Courses of Study.) He shall have charge and supervision of the certification of teachers, standardization of schools and uniformity of text books, examinations for eighth grade and high school pupils and preparation of courses of study for the several classes of public schools.

§ 2. All acts and parts of acts inconsistent herewith are hereby repealed.

Approved November 2, 1920, 114,571 to 104,722.

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## CONSTITUTIONAL AMENDMENTS

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Chapter 93, Session Laws 1919.

Adopted March 16, 1920.

29,262 to 17,255.

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### ARTICLE 33.

The qualified electors of the state or of any county, or of any congressional, judicial or legislative district may petition for the recall any elective congressional, state, county, judicial or legislative officer by filing a petition with the officer with whom the petition for nomination to such office in the primary election is filed, demanding the recall of such officer. Such petition shall be signed by at least thirty per cent of the qualified electors who voted at the preceding election for the office of Governor in the state, county or district from which such officer is to be recalled. The officer with whom such petition is filed shall call a special election to be held not less than forty or more than forty-five days from the filing of such petition.

The officer against whom such petition has been filed shall continue to perform the duties of his office until the result of such special election shall have been officially declared. Other candidates for such office may be nominated in the manner as is provided by law in primary elections. The candidate who shall receive the highest number of votes shall be deemed elected for the remainder of the term. The name of the candidate against whom the recall petition is filed shall go on the ticket unless he resigns within ten days after the filing of the petition. After one such petition and special election, no further recall petition shall be filed against the same officer during the term for which he was elected. This article shall be self executing and all of its provisions shall be treated as mandatory. Laws may be enacted to facilitate its operation, but no law shall be enacted to hamper, restrict or impair the right of recall.