

to such bank or trust company or any other person, without legal process or without the consent of the depositor.

Sec. 2. Any bank or trust company which shall so charge any claim against a deposit or in any way appropriate the same to the payment of a debt of the depositor, in violation of the terms hereof, shall be liable to the party aggrieved for any damages caused thereby to be recovered in a civil action.

Approved February 24th, 1923.

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## BEES

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### CHAPTER 140.

(S. B. No. 243—Eastgate.)

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#### BEES.

An Act to Safeguard the Business of Beekeeping Against Contagious and Infectious Diseases; Defining Apiaries; Providing for State Inspection Under the Direction and Control of the Commissioner of Agriculture and Labor; Prohibiting the Sale, Barter, Offer of Sale or Barter, Moving, Transportation, Shipping or Offering for Shipping or Transportation, of any Bees, Brood, Comb or Beekeeping Appliances that are Infected; Providing for the Proper Certification of Shipments into the State, and the Reporting of such Shipments by the Purchaser or Importer; Fixing Penalties for Violation.

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

Sec. 1. It shall be the duty of the Commissioner of Agriculture and Labor, hereinafter called the Commissioner, to enforce the laws relating to the inspection of apiaries as hereinafter provided.

Sec. 2. The Commissioner shall appoint some person qualified by scientific training or practical experience to be state inspector of apiaries, hereinafter called the Inspector, who is charged with the inspections required under the provisions of this Act, under the direction and control of the Commissioner. The Inspector shall be furnished with such supplies, equipment and printing as may be necessary to carry out the provisions of this Act.

Sec. 3. The Commissioner shall prescribe and issue such reasonable regulations and orders as in his judgment may be necessary to prevent, eradicate or control the introduction, spread, or dissemination of any and all contagious or infectious diseases of honey bees.

Sec. 4. The Commissioner is hereby authorized to appoint or dismiss, on the recommendation of the Inspector, deputies, who shall be empowered to make inspections under the direction and control of the Commissioner.

Sec. 5. Whenever the owner of an apiary believes or has reason to believe that foul brood, or any dangerous disease, which is infectious or contagious in its nature and injurious to honey, bees, or bees in the egg, larval, pupal or adult stages, is present among his bees, he shall at once notify the Inspector, stating all facts known to him with reference to said contagion or infection.

Sec. 6. The Inspector shall have authority to visit and examine personally or by deputy any apiary for the purpose of ascertaining the existence of, or for treatment or destruction of, any contagious or infectious disease of bees or brood; and for this or any other purpose within the scope of this Act, he or his deputies may enter upon private property or premises during reasonable business hours, and no person shall deny such access, or hinder, thwart or defeat said Inspector or his deputies in the performance of his official duties.

Sec. 7. The Inspector shall inspect, in person or by deputy, every apiary, including all appliances, structures, buildings and bees thereof, which is reported as being infected with any disease injurious to honey bees in their eggs, larval, pupal or adult stages.

Sec. 8. If such inspection discloses any infection in such apiary, appliances, structures, buildings or bees, the Commissioner shall give instruction to the owner or person in charge of such property for such treatment as in the judgment of the inspector may be necessary for the eradication or control of such infection; and the owner or person in charge shall carry out such instructions within ten days after a date to be specified in such instructions.

Sec. 9. If said owner or person in charge shall refuse or neglect to carry out the instructions within the period herein specified, the Commissioner shall have power to apply, or cause to be applied such treatment, or, in his discretion and if deemed necessary, may destroy such infected bees or property; and no damages shall be awarded to the owner for the loss of any infected apiary, bees, hive, apiary appliance or bee product destroyed under the provisions of this Act or of any order or regulation made in pursuance thereof.

Sec. 10. The Commissioner shall cause to be issued, at the request of the owner or person in charge of any apiary in the State, after an official inspection has been made and such apiary has been found not to be infected with any dangerous disease.

a certificate signed by the Inspector setting forth the fact of such inspection, the date thereof, and a statement of fact showing such finding.

Sec. 11. After an inspection or handling of any infected apiary, bees, hive or other apiary appliance, structure or building, and before proceeding to any other apiary, the Inspector or his deputy shall thoroughly disinfect every portion of his person and clothing and every tool and appliance used by him that may have been in contact with infected material, and shall cause the same to be done by his assistants.

Sec. 12. The Commissioner may, in his discretion, order any owner or person in charge of bees dwelling in hives without movable frames and combs or not permitting of ready examination, to transfer such bees within a reasonable time, to be by said Commissioner specified, to hives with movable frames.

Sec. 13. No person shall sell, barter, offer for sale or barter, move, transport, deliver, ship or offer for shipment within the State any bees, brood, comb or used beekeeping appliances from an apiary known to be infected with any contagious or infectious disease. No person shall expose in any place to which bees have access any bee product, hive or other apiary appliance in such manner that contagious or infectious diseases of bees could be disseminated therefrom.

Sec. 14. There shall be affixed to the outside of every package, box, crate or bundle containing bees, comb or used beekeeping appliances entering this State a copy of a certificate duly issued by an official state inspector showing that said bees, comb or appliances have been inspected and found not infected with any contagious or infectious disease.

Sec. 15. All shipments of bees, comb or used beekeeping appliances from outside of this State shall be reported immediately upon receipt thereof by the purchaser or importer to the Inspector, giving the name of the shipper and a complete description of such shipment.

Sec. 16. An apiary within the meaning of this Act shall mean any place where one or more hives or colonies of bees are kept.

Sec. 17. The words "person" and "owner" as used in this Act shall include natural persons, firms, associations or corporations.

Sec. 18. Any person, who, himself, or by his agent or employee, or as agent or employee for another, violates any of the provisions of this Act, or any regulation or order made in pur-

suance thereof, shall, on conviction thereof, be punished by a fine of not less than Five Dollars nor more than One Hundred Dollars.

Sec. 19. Whereas, there is now no proper provision of law for the protection of the business of beekeeping against contagious and infectious diseases, this Act is hereby declared to be an emergency measure, and shall be in force from and after its passage and approval.

Approved March 2nd, 1923.

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## BILLS OF SALE

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### CHAPTER 141.

(H. B. No. 147—Sathre and Twichell.)

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#### FILING OF BILLS OF SALE.

An Act Providing For the Filing of Bills of Sale and other Transfers of Personal Property and Prescribing the Effect of Such Filing.

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

Sec. 1. A bill of sale, or other instrument, transferring the title to personal property, must be signed by the vendor or transferor in the presence of two witnesses who must sign the same as witnesses thereto, or acknowledge the execution of the same before some official qualified to take acknowledgments. Any such instrument so witnessed or acknowledged, shall be entitled to be filed in the office of the Register of Deeds of the County where the property or any part thereof covered by such instrument, is at the time so situated.

Sec. 2. The filing of such instrument shall operate as notice thereof to all subsequent purchasers and encumbrancers of so much of said property as is at the time of such filing situated in the county wherein such instrument is filed, and the filing of such instrument shall be deemed equivalent to an immediate delivery, followed by an actual and continued change of possession of the property covered by such instrument.

WHEREAS, there is now no law providing for the filing of the instruments covered by this Act and prescribing the effect of such filing therefore this Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved February 27th, 1923.