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## TUBERCULOSIS SANITARIUM, DUNSEITH

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### CHAPTER 214

(S. B. No. 213—Benson.)

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#### LIGHTING PLANT, TUBERCULOSIS SANITARIUM

**An Act To Empower and Authorize the Board of Administration to furnish Current from its Lighting Plant at the State Tuberculosis Sanitarium at Dunseith, North Dakota, to the City of Dunseith, North Dakota and the Inhabitants thereof.**

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

§ 1. The Board of Administration is hereby empowered and authorized to furnish the City of Dunseith, North Dakota, and the inhabitants thereof electric current for the purpose of light, heat and power, from the electric plant maintained and operated by the State of North Dakota in connection with the State Tuberculosis Sanitarium maintained and operated at said city of Dunseith. Such electric current shall be furnished on such a basis as will in no case result in a loss to the State of North Dakota; provided, that the City of Dunseith will pay for all wiring, make all collections, do all necessary bookkeeping and make payments to the Board of Administration, or its authorized agent, for all current furnished or used by the City of Dunseith or the inhabitants thereof.

Approved March 3, 1925.

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## WAREHOUSES

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### CHAPTER 215

(H. B. No. 271—Sanford.)

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#### WAREHOUSE RECEIPTS—PUBLIC TERMINAL ELEVATORS

**An Act Requiring all Public Terminal Grain Elevators to Issue Warehouse Receipts for Grain or Other Produce Received, and Prescribing What Such Warehouse Receipts Shall Contain.**

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

§ 1. Every public terminal grain elevator shall, on receipt of any grain or other produce, issue a warehouse receipt therefor and

deliver it to the owner, or according to his order. Such receipt shall, in the case of grain, state the following:

- (1) The license number of the terminal grain elevator.
- (2) The name of the terminal grain elevator and its location.
- (3) The name of the licensee and its post office address.
- (4) Whether the receipt is negotiable or non-negotiable.
- (5) That the public terminal grain elevator is licensed and by whom.
- (6) A number which corresponds with the number assigned to the particular lot of the commodity in storage.
- (7) The extent to which the commodity is insured.
- (8) The period for which the commodity is accepted for storage and the terms and conditions under which a new receipt may be issued.
- (9) The marks, if any, the weight or quantity, the grade and condition of the commodity at the time it entered storage.
- (10) If the owner shall request, the receipt shall also show any peculiar value of such grain, or produce, for commercial purposes, such as gluten and protein content.
- (11) That the weight, grade and condition of such grain or produce were determined by inspectors licensed under law.
- (12) The standards according to which the grades were determined.
- (13) The amount of liens and the charges claimed by the public terminal grain elevator.
- (14) If such public terminal grain elevator has an interest in the commodity represented by such receipt, the extent of that interest to be shown on the face of that receipt.
- (15) The date of issuance of the receipt and signatures of the manager of such public terminal grain elevator.

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

§ 3. An emergency is hereby declared to exist and this Act shall take effect and be in full force from and after its passage and approval.

Approved March 7, 1925.

## CHAPTER 216

(H. B. No. 148—Butt.)

## STORAGE CHARGES AND INSURANCE ON GRAIN

An Act To Amend and Re-enact Section 3116 of the Compiled Laws of 1913, as Amended by Chapter 342, Session Laws of 1923, Relating to Storage Charges and Insurance on Grain and Prohibiting the Transferring or Assigning of Insurance on Grain and Giving Ticket Holders the First Lien on Proceeds of Insurance and Also Amending and Re-enacting Section 3114, Compiled Laws of 1913, Giving the Owners of Storage Tickets a Prior Lien on all Grain on Hand in Case of Insolvency.

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

§ 1. AMENDMENT.] Section 3116 of the Compiled Laws of North Dakota for 1913 as amended and re-enacted by Chapter 342 of the Session Laws of 1923, is hereby amended and re-enacted to read as follows:

§ 3116. RATES OF STORAGE.] The charges for storage and handling of grain shall not exceed the following rates: For receiving, elevating, insuring, delivering and twenty days' storage, two cents per bushel. Storage rates after the first twenty days, one-half cent per bushel for each fifteen days or fraction thereof, and not exceeding five cents per bushel for six months.

All grain, whether on storage ticket or deposit with the warehouseman, shall be kept insured at the expense of such warehouseman for the benefit of the owner. Provided that no insurance policy covering grain in a public warehouse, elevator or flour mill shall be transferred or assigned, except insofar as the same shall cover grain not stored, to any person for any purpose whatsoever, and the owners of storage tickets, issued by any elevator, public warehouse or flour mill shall have a first and prior lien and claim to the value of the grain at the time of destruction at the place where stored on all such insurance for any loss or injury sustained by them on account of the destruction or injury of such grain by fire or tornado or any other cause covered by such insurance policy.

§ 2. AMENDMENT.] Section 3114 of the Compiled Laws of North Dakota for 1913 is hereby amended and re-enacted to read as follows:

§ 3114. BAILMENT NOT A SALE. INSOLVENCY.] Whenever any grain shall be delivered to any person, association, firm or corporation doing a grain, warehouse or grain elevator business in this state and the receipt issued therefor provides for the delivery of a

like amount and grade to the holder thereof in return, such delivery shall be a bailment and not a sale of the grain so delivered, and in no case shall the grain so stored be liable to seizure upon process of any court in any action against such bailee, except actions by owners of such warehouse receipts to enforce the terms thereof, but such grain shall at all times in the event of the failure or insolvency of such bailee be first applied exclusively to the redemption of outstanding warehouse receipts for grain so stored with such bailee, and in such event all grain on hand in any particular elevator or warehouse whether the same be stored or not, shall first be applied to the satisfaction of receipts issued by such warehouse.

Approved March 10, 1925.

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CHAPTER 217  
(H. B. No. 166—Vogel.)

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PUBLIC TERMINAL GRAIN ELEVATOR

An Act Defining and Establishing the State Mill and Elevator, Located at or near the City of Grand Forks, North Dakota, as a Public Terminal Grain Elevator.

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

§ 1. PUBLIC TERMINAL GRAIN ELEVATOR. DEFINITION.] The State owned Mill and Elevator, located at or near the City of Grand Forks, North Dakota, is hereby declared to be a Public Terminal Grain Elevator and subject to regulation as such.

§ 2. The Board of Railroad Commissioners is hereby authorized, empowered and required to determine and fix the intrastate rates for the transportation of all grain and grain products moving to or from such Public Terminal Grain Elevator within the State of North Dakota as defined in this act. All such rates shall be just and reasonable, and made with a view of recognizing such Public Terminal Grain Elevator as a Public Terminal Market. No rates shall be established until notice has been given and an opportunity afforded all interested parties to appear and be heard.

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

§ 4. EMERGENCY.] An emergency is hereby declared to exist and this act shall take effect and be in force from and after its passage and approval.

Approved March 4, 1925.

NOTE: This chapter carries emergency clause but did not receive the two-thirds vote of the members present in each house as required by law.

See Senate Journal, February 27th, 1925—Page 34.

See House Journal, February 10th, 1925—Page 29.