

CHAPTER 90

(H. B. No. 137—Cox.)

**BANK OF NORTH DAKOTA RELIEVED FROM UNDERTAKINGS IN
APPEAL, ATTACHMENT, ETC.**

An Act providing that the State of North Dakota doing business as the Bank of North Dakota shall not be required to give undertakings in appeal, attachment, claim and delivery and other like cases.

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

§ 1. All provisions of law requiring that a surety, or sureties, be given on undertaking in actions an appeal, attachment, claim and delivery and other like cases in which an undertaking is required, shall not be applicable to the State of North Dakota doing business as the Bank of North Dakota, as the party seeking such relief, provided, however, that it shall be required to give its own undertaking and reimburse the adverse party when required by law.

§ 2. EMERGENCY.] This act is hereby declared an emergency measure, and shall take effect and be in force from and after its passage and approval.

Approved March 7, 1929.

BEES

CHAPTER 91

(H. B. No. 78—Plath, Burkhart and Smith.)

BEE INSPECTION

An Act to amend and re-enact Sections 2790a8, 2790a9, 2790a13, 2790a14 and 2790a18 of the 1925 Supplement to the Compiled Laws of the State of North Dakota of the year 1913.

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

§ 1. AMENDMENT.] That Sections 2790a8, 2790a9, 2790a13, 2790a14 and 2790a18 of the 1925 Supplement to the Compiled Laws of the State of North Dakota of the year 1913 be amended and re-enacted to read as follows:

§ 2790a8. INSTRUCTIONS TO OWNER.] If such inspection discloses any infection in such apiary, appliances, structures, buildings

or bees, the inspector 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 forthwith.

§ 2790a9. DESTRUCTION WITHOUT COMPENSATION OF INFECTED BEES.] If said owner or person in charge shall refuse or neglect to comply with said instructions forthwith, the inspector shall 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, hives, apiary appliance or bee product destroyed under the provision of this act or of any order or regulation made in pursuance thereof.

§ 2790a13. INFECTED BEES; SALE OR EXPOSURE.] 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 for breeding or used beekeeping appliances and equipment from any apiary without a certificate of health from the state inspector, provided it shall not be necessary to secure such certificate of health where said bees, brood, comb for breeding or used beekeeping appliances and equipment have been inspected as provided herein within one year prior to such sale or shipment within the state. A copy of said certificate must be securely attached to the outside of every package, box, crate or bundle containing bees shipped or transported within the state. No person shall expose in any place to which bees have access any bee product, hives or other apiary appliance in such manner that contagious or infectious disease of bees could be disseminated therefrom.

§ 2790a14. CERTIFICATE TO BE AFFIXED TO PACKAGE, ETC.] The shipment or movement into the state of live bees in cages not accompanied by combs or honey is hereby permitted upon compliance with the regulations herein set forth but the shipment or movement into the state otherwise of bees, brood, comb for breeding or used beekeeping appliances and equipment is prohibited. There shall be affixed to the outside of every package, crate or bundle of bees entering into the state a copy of a certificate duly issued by an official state inspector showing that said bees, comb for breeding or appliances have been inspected and found not infected with any contagious or infectious disease.

§ 2790a18. PENALTIES.] 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 pursuance thereof, shall, on conviction thereof be punished by a

fine of not less than twenty-five dollars (\$25.00) nor more than two hundred fifty dollars (\$250.00), or by imprisonment in the county jail not to exceed thirty (30) days, and any shipment of bees, brood, combs for breeding or used beekeeping appliances and equipment unlawfully transported as herein provided may be confiscated by the state inspector.

§ 2. EMERGENCY.] This act is hereby declared to be an emergency measure, and shall be in force and effect from and after its passage and approval.

Approved March 9, 1929.

BRANDS

CHAPTER 92

(H. B. No. 178—Hoffman.)

MARKING AND BRANDING ANIMALS AND POULTRY

An Act to amend and re-enact Sections 2595 and 9992 of the Compiled Laws of North Dakota of the year 1913, relating to marking and branding of animals and poultry, and collection of fees therefor; and providing penalty for unlawfully branding and stealing animals or poultry.

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

§ 1. AMENDMENT.] That Section 2595 of the Compiled Laws of North Dakota for the year 1913, be amended and re-enacted as follows:

§ 2595. MARKS AND BRANDS: HOW OBTAINED AND RECORDED.] Whenever any person desires the exclusive use of any mark or brand, he may make application therefor to the commissioner of agriculture and labor, setting forth a description of the mark or brand of which he desires the exclusive use, accompanying the same with the fascimile thereof, and stating for what the same is to be used and the place or position it is to occupy, and it shall be the duty of the Commissioner to record such mark or brand with the description of the place or position such mark or brand shall occupy on the animal or poultry, consulting always the choice and convenience of the applicant therefor, so far as may be, without conflicting or interfering with any previous mark or brand, provided that the fee hereinafter mentioned for live stock brand registration be the same for branding or stenciling or tattooing or indelibly marking poultry, the poultry to be marked or branded on either wing.