

of such containers may be emptied into a tank or vat free from other substance where it shall be thoroughly mixed and a representative sample of not less than two (2) ounces procured, transferred to a sample jar or bottle, and labeled to correspond with a record kept as herein provided shall be protected from extremes of temperature and shall be retained for a period of not less than 24 hours, except that all samples taken on Saturday shall be retained until five o'clock of the afternoon of the following Monday during which time the receptacles containing such samples shall not be opened except by the state dairy commissioner, his deputy, or legal agent who may officially inspect the same for the purpose of determining the percentage of butter fat contained therein according to Section 2853 of the Compiled Laws of 1913. All cream held over from one shipment to another shall be weighed, and a record of such weight shall be kept on hand and a true and correct sample thereof shall be taken and held, the same as other samples are taken and held, and shall be dated, and be labeled "holdover Sample". Any person who shall violate the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment in the county jail for a period not to exceed thirty (30) days or by a fine not to exceed the sum of fifty dollars (\$50.00) or by both such fine and imprisonment.

Approved March 11, 1929.

DEPOSITORS GUARANTY FUND

CHAPTER 122

(S. B. No. 104—Bond, Fredrickson, Lynch and Sathre.)

DISCONTINUANCE ASSESSMENTS AND DISSOLUTION DEPOSITORS GUARANTY FUND

An Act providing for the discontinuance of further assessments by the Depositors' Guaranty Fund Commission for the collection and distribution of its assets, the dissolution of such commission, the disposition of its books, records and assets, and repealing all acts or parts of acts in conflict herewith.

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

§ 1. DISCONTINUANCE OF ASSESSMENTS.] From and after July 1st, 1929, the depositors' guaranty fund commission shall levy no further assessments under the provisions of Chapter 31-B of the Supplement to the Compiled Laws of the State of North Dakota for the year 1913, known as the Depositors' Guaranty Fund Act,

but shall under the provisions of said Chapter 31-B of the Supplement proceed to complete its records as to all banks closing prior to said date, collect all assessments theretofore levied, and convert its assets, or as much thereof as is possible, into cash and except as to assessments as in this section provided, the said Chapter 31-B of the Supplement shall continue in full force and effect during the continuance of this act.

§ 2. DISBURSEMENT OF FUND.] On or before the 1st day of December, 1930, said depositors' guaranty fund commission shall disburse and pay the balance of the funds in its hands to depositors in banks closing prior to July 1st, 1929, such funds so remaining in its hands at said time to be disbursed among depositors holding claims approved and allowed by said depositors' guaranty fund commission who have not theretofore received a dividend from said fund and to be disbursed in the manner now in operation under said Chapter 31-B of the Supplement.

§ 3. DISSOLUTION OF COMMISSION.] On December 31st, 1930, the depositors' guaranty fund commission shall deliver to the state examiner for the State of North Dakota, all of the books, records, assets and property belonging to it or then in its custody; make and deliver to the governor for the benefit of the next legislative assembly, a final report of its operations; and such commission shall thereupon cease to exist.

§ 4. CUSTODY OF RECORDS AND REMAINING ASSETS.] The state examiner for the State of North Dakota, shall, as speedily as possible, convert all assets so received by him into cash and deposit the proceeds thereof in a fund to be known as the Depositors' Guaranty Fund, which fund shall be disbursed pro-rata by the state examiner among depositors holding claims approved and allowed by said depositors' guaranty fund commission who have not theretofore received a dividend from the Guaranty Fund.

§ 5. REPEAL.] All acts or parts of acts in conflict herewith are hereby repealed; provided, however, that the provisions of this act shall not release any bank, trust company or corporation from any assessment which has been levied by the guaranty fund commission prior to the time this act becomes effective.

Approved March 6, 1929.

NOTE—Referendum petition has been filed against Senate Bill 104, Chapter 122 herein, requesting that said measure be submitted to the electors at the primary election to be held June 25, 1930.