

trustees, and of any person owning ten per centum, or more, of the capital stock, if the promoter be a corporation or association: (9) A statement showing in detail the plan on which the business or enterprise is to be transacted; (10) The articles of co-partnership or association, and all other papers pertaining to its organization, if the securities be insured or guaranteed by a co-partnership or unincorporated association; (11) A copy of its charter and by-laws if the securities be issued or guaranteed by a corporation; (12) A filing fee of one-twentieth of one per cent of the amount of the securities authorized to be sold in this state, but in no case shall the filing fee be less than twenty-five dollars (\$25.00). In case of denial of the application, all of that part of fees, above the twenty-five dollars (\$25.00) will be returned to the applicant.

Approved March 11, 1929.

SEEDS

CHAPTER 220

(H. B. No. 45—Thatcher.)

DISTRIBUTION SEEDLINGS BY STATE FORESTER

An Act to amend and re-enact Section 1679c of the Compiled Laws of North Dakota for the year 1913.

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

§ 1. AMENDMENT.] That Section 1679c of the Compiled Laws of North Dakota for the year 1913 be amended and re-enacted to read as follows:

§ 1679c. DISTRIBUTION.] Seeds and seedlings from such nursery shall be distributed to citizens and land owners of this state upon payment of the cost of production or collection, as in the case of tree seeds, and the cost of transportation from the nursery; the charge for trees not to exceed one cent each. As a condition precedent to such distribution the citizen or land owner making application therefor must agree to plant the seeds and seedlings distributed under the direction of the state forester and in conformity with his instructions.

§ 2. EMERGENCY.] 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 9, 1929.

CHAPTER 221

(H. B. No. 216—Sax and Plath.)

APPOINTMENT, DUTIES, ETC., STATE SEED COMMISSIONER

An Act to amend and re-enact Sections 3, 4, 5, 7 and 8 of Chapter 250 of the 1927 Session Laws of the State of North Dakota.

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

§ 1. AMENDMENT.] Section 3 of Chapter 250 of the Session Laws of North Dakota of the year 1927 is hereby amended and re-enacted to read as follows:

§ 3. STATE SEED COMMISSIONER. HOW APPOINTED.] The department of state seed certification shall be operated and managed by the state seed commissioner, who shall be appointed by the board of administration, and his term of office, and salary, shall be fixed by said board. The state seed commissioner shall also appoint, with the consent and approval of the board of administration, a deputy state seed commissioner for pure seed potato work, whose term of office, salary, and duties shall be fixed by the said board.

§ 2. AMENDMENT.] Section 4 of Chapter 250 of the 1927 session Laws of the State of North Dakota is hereby amended and re-enacted to read as follows:

§ 4. POWERS AND AUTHORITY OF THE STATE SEED COMMISSIONER.] It shall be the duty of the state seed commissioner and he shall have powers and authority as follows: (1) To make and promulgate all rules and regulations for field and crop inspections, for field registrations, seed crop handling, bin inspections, car inspection for grade of potatoes, analyzing, testing, or certifying of all seed or seeds to be grown, produced, processed or treated, exposed or offered for sale or sold, which seeds are designated or intended to be known or to become registered or certified under the state brand, label or tag as North Dakota Registered Certified Seed, by and through the North Dakota Department of State Seed Certification; (2) to establish and designate, kinds, varieties, strains, the names thereof and the grades and standards of quality, degree of disease infection, and also the amount of any admixture, foreign seed, prohibited or noxious weed seeds that may be allowed in any lot or stock or seed or of potatoes which may be or become eligible to field registration or to seed certification provided that no lot of the highest grade North Dakota Registered Certified seed shall contain a total of more than 2 per cent of such admixtures, foreign seeds, diseased products, noxious weed seeds and inert matter, and further, if any such disqualifications, the approximate per cent of the same

shall be stated in the certificate and upon the official tag and label; to prescribe all brands, labels, tags and containers that may be used for the various grades and qualities of North Dakota Registered Certified Seed and what written or printed words such brands, labels, tags or containers shall bear; (4) to regulate, prescribe and direct, the manner and methods of seed treatment, crop culture, harvesting, threshing, handling, storage and warehousing, under which the identity and quality of the seeds so produced shall be preserved and the grower or producer of such seeds become licensed, registered or listed as a grower or producer of North Dakota Registered Certified Seeds; (5) to appoint all official field crop and bin inspectors, analysts and aids and to select as other aids and assistants any properly qualified persons connected with other experiment stations in the state and to designate laboratories at other state institutions in the state where analyses and testing of seeds may be had, subject to the approval of the board of administration, and such laboratories, aids and assistants, when so confirmed, shall be subject to the supervision and regulation of the state seed commissioner; (6) to cooperate with the managers of any seed cleaning, seed treating or processing plants, and with the managers of any wholesale seed houses of the state which have proper facilities and equipment to properly store, clean, grade, process, and handle field inspected, or field registered seeds or potatoes preparatory to certification, and in like manner to cooperate with and utilize the facilities and equipment of any cooperative growers associations formed or incorporated in the state for the purpose of handling and marketing of North Dakota Registered Certified Seed. The state seed commissioner shall also have power and authority to cooperate with the United States Department of Agriculture and the proper authorities of other states in all matters relating to the betterment of methods and means of seed inspection, analysis, testing and certification; further, he shall have the power and authority to select, test and grow, and in cooperation with growers, within the state, arrange for proper increase and distribution of foundation stocks suitable for the production of registered certified seed and to cooperate with any organized county, district, or state fairs to put on proper exhibits, contests and distribution sales of registered certified seed products; (7) to establish an equitable schedule of charges and fees to cover the costs of any special, subsidiary or necessary inspections, analysis or tests, other than as now provided by law, and all such charges and fees so collected shall be turned into the fund of the department of state seed certification; (8) to make and execute such further rules and regulations as may be deemed necessary.

§ 3. AMENDMENT.] Section 5 of Chapter 250 of the 1927 Session Laws of the State of North Dakota, is hereby amended and re-enacted to read as follows:

§ 5. Any person, firm or corporation or agent thereof who shall expose or offer for sale, sell, or have in possession any seed which is represented in any manner to be North Dakota Registered Certified Seed or which bears in any manner any label or statement that it is or purports to be North Dakota Registered Certified Seed, or who employ the term "Certified" or the term "Inspected" or the term "Registered" or any term or terms conveying a meaning substantially equivalent to the meaning of any of said terms, either orally or in writing, printing, marking, or otherwise in reference to or in connection with, or in advertising or characterizing or labeling seed potatoes or the containers thereof, unless such potatoes shall have been duly inspected and registered and certified pursuant to the provisions of this act, or who removes any official brand, label or tag from any bin, bag, package or other container or who transfers, modifies, mixes, or changes the contents of any officially labeled or tagged container of North Dakota Registered Certified Seed or potatoes while in transit or in storage except as officially authorized by the state seed commissioner, or who otherwise, in any manner, violates any provisions and purposes of this act shall be guilty of misdemeanor and on conviction thereof shall be fined not less than one hundred dollars (\$100.00) and costs, nor more than one thousand dollars (\$1,000.00) and costs of prosecution. Provided, however, that all fields of seeds now registered by the state seed commissioner and seeds now certified by such state seed commissioner shall be considered registered or certified, respectively under this act. Provided, further, that these regulations shall not apply to seed, excepting potatoes bearing the official inspection, certification and registration tags of other states.

§ 4. AMENDMENT.] Section 7 of Chapter 250 of the 1927 Session Laws of the State of North Dakota, is hereby amended and re-enacted to read as follows:

§ 7. APPROPRIATION.] For the purposes of carrying out and administering the provisions of this act and to pay the salaries of the necessary employees, analysts and expert field and bin inspectors and to establish definitely for the producers of the state, a trade mark and a label, under the state government authority, for North Dakota Registered Certified Seed, there is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, the sum of fifteen thousand dollars (\$15,000.00) or as much thereof as may be necessary for the biennium period beginning July 1, 1929. Such appropriation shall be retained in the state treasury and to be known as the State Seed Certification Fund, and shall be distributed under the direction and supervision of the board of administration only for the purpose of this act and upon requisition of the state seed commissioner.

§ 5. AMENDMENT.] Section 8 of Chapter 250 of the 1927 Session Laws of the State of North Dakota is hereby amended and re-enacted to read as follows:

§ 8. DISPOSITION OF FEES AND OTHER FUNDS COLLECTED.] All funds arising from the collection of charges and fees or from any other source under this act shall be paid to the state treasurer and credited to the State Seed Certification fund, and shall be distributed under the direction and supervision of the board of administration only for the purposes of this act and upon requisition of the state seed commissioner.

Approved March 9, 1929.

SOLDIERS' CLAIMS

CHAPTER 222

(S. B. No. 110—Hamilton and Sperry.)

CLAIMS AGAINST RETURNED SOLDIERS' FUND

An Act to authorize the adjutant general to file as claims against the returned soldiers' fund, certain applications which were received subsequent to June 30, 1927.

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

§ 1. The adjutant general is hereby authorized to file as claims against the returned soldiers' fund and proceed to carry the same to a final conclusion, as if same had been filed prior to July 1, 1927, applications of the following named veterans of the World War, which applications through error, misapprehension or neglect were not so filed prior to July 1, 1927, viz:

Christian Carl Andersen	Louis William Christianson
Owen Walker	Henning A. Carlson
Elmer William Flagg	Martin Cornelius Bjerke
Christ Hans Larsen	Hiram Paul Morgan
Edward Nelson	Edwin Otto Nelson
Harry Francis Schruth	Edward Alva Smith
Harry D. Sutherland	William Craddock
Albert Andrew Johnson	Ole S. Holm
Waldeman George Anderson	Loren Ronde
Bochsen	Emil Emanuel Nelson
Emil K. Grindberg	Winfield Walter Blake
LeRoy Kastian	Joe F. Herda