

ing the debit and credit items incurred and made in the account between the manufacturer, wholesaler or distributor and such agent, salesman or dealer during the immediately preceding month and the exact balance owing from the agent, salesman or dealer thereon at the date of such notice.

§ 4.] Any such surety or guarantor may at any time give the manufacturer, wholesaler or distributor either by mail or personal delivery, notice of withdrawal from the bond or obligation to which he is a party, and such withdrawal shall be effective as of the time of the receipt of such notice by the manufacturer, wholesaler or distributor.

Approved March 9, 1945.

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## HEALTH AND SAFETY

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### CHAPTER 194

S. B. No. 66

Committee on Military and Indian Affairs

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#### DEATH CERTIFICATES, CERTAIN VETERANS

An Act Authorizing the State Registrar of Vital Statistics to issue death certificates in certain cases of deceased veterans, and declaring an emergency.

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

§ 1.] The State Registrar of Vital Statistics shall upon request issue and file death certificates in cases of deceased veterans upon receipt of the original notice of death furnished by the War Department, or a copy of such notice certified by the Veterans' Service Commissioner or the Veterans Administration, and upon receipt of such additional evidence as may be available from other sources without regard for additional pre-requisites provided in Chapter 23-02 of the North Dakota Revised Code of 1943.

§ 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 14, 1945.

## CHAPTER 195

H. B. No. 106

Introduced by Representatives Fitch and Crockett

## DEATH RECORDS, CERTAIN MISSING PERSONS

An Act To provide for the receiving as prima facie evidence in any court, office or other place in this state, official findings, records, reports or certified copies thereof, of death, presumed death, missing or other status, issued by the Secretaries of War and Navy and other federal officers and employees, and declaring an emergency.

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

§ 1. Written findings of presumed death, made by the Secretary of War, the Secretary of the Navy, or other officer or employee of the United States authorized to make such findings, pursuant to the Federal Missing Persons Act, as now or hereafter amended, or a duly certified copy of such finding, shall be received in any court, office, or other place in this state as prima facie evidence of the death of the person therein found to be dead, and the date, circumstances and place of his disappearance.

§ 2. An official written report or record or duly certified copy thereof, that a person is missing, missing in action, interned in a neutral country or beleaguered, besieged or captured by an enemy, or is dead, or is alive, made by an officer or an employee of the United States authorized by the Act referred to in Section 1 or by any other law of the United States to make same, shall be received in any court, office, or other place in this state as prima facie evidence that such person is missing, missing in action, interned in a neutral country or beleaguered or captured by an enemy or is dead, or is alive as the case may be.

§ 3. For the purposes of Sections 1 and 2 of this Act any finding, report or record, or duly certified copy thereof, purporting to have been signed by such an officer or employee of the United States as is described in said act, shall prima facie be deemed to have been signed and issued by such an officer or employee pursuant to law, and a person signing same shall prima facie be deemed to have acted within the scope of his authority. If a copy purports to have been certified by a person authorized by law to certify the same, such certified copy shall be prima facie evidence of his authority so to certify.

§ 4. EMERGENCY.] Whereas many doubtful situations exist with reference to members of the armed forces now in service this act is hereby declared an emergency measure and shall become and be in effect and in force immediately upon its passage and approval by the Governor.

Approved March 2, 1945.

## CHAPTER 196

S. B. No. 117

Introduced by Senators Stucke and Drew

EMBALMERS, UNDERTAKERS AND COFFIN SELLERS  
REPORTS

An Act Requiring all Embalmers, Undertakers, and Coffin-Sellers to Keep Records and Report Information to the State Registrar of Vital Statistics.

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

§ 1. EMBALMERS, UNDERTAKERS, AND COFFIN-SELLERS TO KEEP RECORD.] Every person, firm or corporation selling a casket is required to keep a permanent record showing the name of the purchaser, postoffice address, name of deceased, date of death, and place of death, which record shall be open to inspection by the state registrar.

§ 2. EMBALMERS, UNDERTAKERS, AND COFFIN-SELLERS TO REPORT TO STATE REGISTRAR OF VITAL STATISTICS.] On the first day of each month, the person, firm or corporation selling caskets and every undertaker or other person attending to the burial or conducting the funeral of a dead person, is required to report to the state registrar such facts as he may require for the preceding month, on a blank provided for that purpose; provided, however, that no person, firm or corporation selling caskets to dealers or undertakers only shall be required to keep such record.

Approved March 2, 1945.

## CHAPTER 197

S. B. No. 116

Introduced by Senators Stucke and Drew

## REGISTRATION OF STILLBORN CHILDREN

An Act Amending and Re-enacting Section 23-0216 of the North Dakota Revised Code of 1943, Relating to the Registration of Stillborn Children.

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

§ 1. AMENDMENT.] Section 23-0216 of the North Dakota Revised Code of 1943 is hereby amended and re-enacted to read as follows:

§ 23-0216. STILLBORN CHILDREN TO BE REGISTERED.] Stillborn children, or those dead at birth, shall be registered as stillbirths on a certificate of stillbirth of the standard form recommended by the Bureau of the Census, Division of Vital Statistics. The person in charge of interment shall within three (3) days file with the local register of the county in which the stillbirth occurred the certificate of stillbirth, obtaining personal data from the informant whose signature appears thereon. He shall present the certificate of stillbirth to the attending physician, midwife, or other person in attendance at the stillbirth, who shall certify the stillbirth and such medical data pertaining thereto as he can furnish. In every instance a certificate shall be filed, and a permit in the usual form for burial, cremation or other disposition of the fetus issued prior to interment or other disposition thereof.

Approved March 2, 1945.

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## HIGHWAYS, BRIDGES, AND FERRIES

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### CHAPTER 198

S. B. No. 141

Introduced by Braun, Frojen, Blank and Brant

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#### CONDEMNATION PROCEEDINGS, AMENDMENT

An Act Providing that appeal from a decision of the State Highway Commissioner or the Board of County Commissioners in highway condemnation proceedings shall not stay condemnation proceedings.

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

§ 1. Notwithstanding the taking of an appeal as provided in section 24-0123 in proceedings of the state highway commissioner in the taking of land or materials by condemnation, or from the award made by the Board of County Commissioners in such proceedings, the state highway commissioner may proceed with the use of the property so condemned and shall be liable for any additional amount awarded to the appellant upon such appeal.

Approved March 2, 1945.