



1924

## Emergency Legislation

North Dakota Law Review

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of cancellation, the findings will not support a personal judgment for the amount owing, in addition to a judgment quieting title.

**Golden Valley County v. Lundin et al.**

A bank was designated as a depository by the county and a depository bond for \$1,000.00 was given and filed in the office of the county auditor and accepted, under Chapter 56, Laws of 1921. A new designation of the same depository was made by the county commissioners in July, 1923. The bank remained a depository until February, 1924, when it failed. A large amount was then on deposit and this action was brought on the depository bond. In defense it was claimed that Chapter 56, Laws of 1921 was repealed by Chapter 199, Laws of 1923. HELD: A clause in a statute purporting to repeal other statutes is not in all cases conclusive evidence of the legislative intention. The statute must be construed as a whole and the legislative intent given effect, though contrary to the terms of the repeal clause. Where a repealing statute contains provisions identical, or practically so, with some provisions of the statute declared to be repealed, such provisions remain in force without interruption. The judgment against the sureties was upheld.

### EMERGENCY LEGISLATION

Laws passed by the 1925 Legislature as Emergency Measures. All are now in effect.

#### HOUSE BILLS

24. Appropriation \$28,000.00 to cover deficit of State Training School at Mandan.
26. Appropriation \$30,000.00 to cover deficit in Wolf Bounty Fund.
42. Appropriation \$16,200.00 to pay loan made to Dickinson Normal School.
47. Appropriation \$75,000.00 from State Highway Fund for construction of Red River Bridge at Fargo.
55. Appropriation \$200,000.00 from State Highway Fund for construction of Missouri River Bridge at Williston.
57. Appropriation \$100,000.00 from State Highway Fund for construction of Missouri River Bridge at Sanish.
61. Authorizes reduced rate of interest 6%—upon redemption of real estate sold to the county of 1923 or any prior year and still held by the county, if said redemption is made on or before Nov. 1st, 1925.
63. Relieves assessors from duty of making military enrollment.
65. Declaration of dividends and creation of indebtedness by directors of corporations and increasing or diminishing of the Capital Stock and issuing of bonds by corporations.
67. Commission of crime while armed.
69. Foreclosure of mortgages by agent or attorney and legalizing and validating prior sales where power of attorney has been filed for record at or prior to the time of sale.

- 84. Empowering Board of Railroad Commissioners to permit common carriers to charge special freight rates within the state and fix classifications, rules and regulations accordingly.
- 86. State Hail Insurance.
- 89. Tuberculin test and eradication of Bovine Tuberculosis in Townships by petitions.
- 90. Appropriation \$40,000 for water works system at Hospital for Insane.
- 94. N. D. Mill & Elevator Association.
- 96. Abstractors Board of Examiners—licensing, bonding of abstractors.
- 108. Collection of County seed and feed accounts.
- 111. Preliminary examination and change of venue, County Court, Inc., J.
- 127. Right of eminent Domain of State Institutions.
- 131. Compilation, Session Laws of 1915, 1917, 1919, 1921, 1923 and two Special Sessions.
- 149. Board of Accountancy.
- 155. Auto Transportation.
- 166. Establishing State Mill and Elevator at Grand Forks, a public terminal elevator.
- 194. Requiring motor vehicles owned by state to carry name of departments, institution or industry on each side.
- 212. Regulating sale of frogs and establishing closed season for same.
- 216. Bonds of N. D. Real Estate Series.
- 239. Public dances and dancing places.
- 246. Sunday Dances.
- 271. Warehouse receipts of public terminal elevators.
- 275. Wolf and Magpie Bounty.
- 286. Opposing increase in lignite freight rates.
- 287. Sow Thistle eradication.

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#### AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE

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The 29th annual meeting of this Society is scheduled for May 15th and 16th at Philadelphia, at which time there will be under discussion the subject of "American Policy and International Security."

The request has been made that the State Bar Association of North Dakota appoint three delegates to take part in the deliberations on that general topic, to which six special sessions will be devoted for the consideration of the following specific points:

- 1. The Operation of the Dawes Plan.
- 2. War Debts as a Menace to International Peace;
- 3. The Possibilities of Disarmament;
- 4. Foreign Investments and International Peace;