

ENABLING ACT AND CONSTITUTION

AND

THE LAWS

PASSED AT THE

TWELFTH SESSION

OF THE

LEGISLATURE

OF THE

State of South Dakota

Begun and Held at Pierre, the Capital of Said State, on Tuesday, the Third Day of January, 1911, and Concluded
March 3rd, A. D. 1911

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60.....	AN ACT entitled, an act appropriating money to Walworth county, South Dakota, for money erroneously paid in and remitted to the State of South Dakota by the Treasurer of Walworth county for the year 1907.
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97.....	AN ACT to amend Sections 3, 4, 10, 12, 15, 18, 19, 23, 54 61, 82, 106, 110, 115, 121 and 122, of Chapter 86 of the laws of South Dakota for the year 1907, as amended by Chapters 57 and 158 of the laws of 1909 for the State of South Dakota, providing for cities under commission.
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102.....	AN ACT entitled an act to amend Chapter 49 of the Session Laws of 1909 relating to agricultural mining and mineral fair corporations and providing for county aid for the same.
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162.....	AN ACT entitled, an act making it a misdemeanor to knowingly sell or exchange an animal affected with glanders.
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165.....	AN ACT entitled, an act to amend Section 523 of the Political Code of the State of South Dakota for 1903, as amended by Chapter 258 of the laws of 1909, relating to the salaries of the resident officers at the state hospital for the insane.
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167.....	AN ACT entitled, an act to regulate the practice of hypnotism and psycho-therapy, and providing penalties for the same.
168.....	AN ACT entitled, an act requiring that all moneys received by State Boards and Officers of state institutions shall be deposited in the State Treasury and regulating the expenditure thereof; creating permanent incidental funds for the use of the South Dakota Hospital for the insane and the Northern Hospital for the insane, prescribing the purposes for which said funds may be used and providing for the reimbursement thereof.
169.....	AN ACT providing for the imposing of indeterminate sentences upon convicts and the parole of same.
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182.....	AN ACT entitled, an act to amend Section 645 of the Revised Civil Code of 1903, as amended by Chapter 146 of the Session Laws of 1909, relating to the duties of Officers of county mutual insurance companies.
183.....	AN ACT entitled an act to amend Section 14 of Chapter 210 of the Session Laws of 1909, entitled "An act relating to the insurance department in and for the State of South Dakota, and to regulate insurance companies doing business therein; providing penalties for violations thereof, and to repeal all acts and parts of acts in conflict therewith."
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185.....	AN ACT to amend Section 644 of the Revised Civil Code of the State of South Dakota of 1903, relating to the choosing of directors by county mutual insurance companies.
186.....	AN ACT entitled, an act to authorize county mutual fire insurance companies to insure against loss and damage by cyclones.
187.....	AN ACT entitled, an act to amend Section 1855 of the Political Code of the State of South Dakota of 1903, relating to compensation of interpreters or translators.
188.....	AN ACT entitled, an act to repeal Chapter 141 of the laws of 1909, relating to public treating to intoxicating liquors.
189.....	AN ACT prohibiting the acquirement of vested rights in and to certain islands and accumulations of lands formed in the beds of navigable streams in this state, except in certain

	cases, providing for the sale of certain of such lands, the appraisement thereof, manner of payment therefor, and attaching such lands to certain counties adjacent thereto.
190.....	AN ACT entitled, an act defining and regulating the use of the various publications of the laws of the State of South Dakota as evidence in Courts of Justice.
191.....	AN ACT to amend Sections 3 and 5 of Chapter 20 of the Session Laws of 1909, an act relating to the adulteration of Linseed Oil.
192.....	AN ACT to expedite the apprehension of live stock thieves.
193.....	AN ACT making it unlawful to wear or use the uniform or equipment of the South Dakota National Guard unless engaged in the performance of military duty under proper orders; or to sell, give away, loan, barter or exchange such uniform or equipment, or to offer to do so.
194.....	AN ACT entitled, an act to direct the sale and transfer of certain land near Lake Kampeska, South Dakota, owned by the state and now used for military purposes.
195.....	AN ACT to amend Section 2103 of the Revised Civil Code of 1903, relating to mortgages.
196.....	AN ACT entitled, an act to amend Sections 9 and 32 of Chapter 191 of the laws of 1907, and Sections 3, 4, 6, 7, 8 and 10 of Chapter 176 of the laws of 1909 relating to Municipal Courts.
197.....	AN ACT entitled an act concerning notaries public who are stockholders, directors, officers, or employees of banks or other corporations.
198.....	AN ACT to amend Sections 4 and 10 of Chapter 144 of the Session Laws of 1905, relating to the parole of convicts.
199.....	AN ACT relating to the manner of determining the population of counties for basis of determining salaries of county officers. An act amending Section 1, of Chapter 104 of the Session Laws of 1903 establishing the manner of determining the population of the several counties of the state in all cases where such population is used as a basis or part of the basis of determining the salaries of any or all county officers, and prescribing the duty of certain county officers and courts in relation thereto.
200.....	AN ACT entitled, an act requiring the county auditor of each county to publish annually in the official newspapers of his county an itemized and comprehensive report of the receipts and expenditures of the poor farm, if one be maintained by his county.
201.....	AN ACT entitled, "An act to provide for regulation of political party transactions; for the purpose of determining organic provisions and definitions of terms, party enrollment, party organization, independent and representative proposals of candidates for party nomination, to elective offices, official primary ballot, conduct of primary elections, official party endorsement of U. S. Senators and appointive government positions other than postmasters, postmaster primary, party recall, official state publicity pamphlet violations, penalties and contests. WHEREAS, under the provisions of Section 1 of Article 2, of the Constitution of the State of South Dakota, and Article 3 of Chapter 2, of the Political Code of the State of South Dakota, a petition has been filed in the office of the Secretary of State, signed by more than five per centum of the qualified electors of the State in the manner and form therein directed, petitioning that the following proposed law be enacted, and submitted to a vote of the electors of the State at the next general election, to be held in the year 1912, certified copies of said petition having been transmitted to the Senate and House of Representatives by the Secretary of State.

202.....	AN ACT entitled, an act to amend Chapter 297 of the Session Laws of 1909, approved March 9th, 1909; providing for rotation of the names of candidates on the primary ballot and for petitions for candidates in Congressional Districts.
203.....	AN ACT entitled, an act to amend Section 152 of the Revised Penal Code of 1903 as amended by Chapter 203 of the Session Laws of 1907, relating to the definition of the term prison.
204.....	AN ACT entitled, an act relating to the publication of notice in the Probate Court.
205.....	AN ACT providing for the sale and conveyance of public property of counties, within the State of South Dakota, manner of proceedings therefor, court proceedings thereunder and confirmation of sale by the court.
206.....	AN ACT relating to common carriers by railroad while engaged in commerce within the State of South Dakota, to their employees.
207.....	AN ACT entitled, an act to regulate common carriers and to define the powers and duties of the Board of Railroad Commissioners of the State of South Dakota in relation thereto, and imposing penalties for the violation of the provision of this act.
208.....	AN ACT entitled an act requiring railroads to provide suitable caboose-cars or other cars used for like purpose on freight trains.
209.....	AN ACT entitled an act to provide that any Common Carrier operating or doing business within the State of South Dakota shall adjust and pay all claims for loss or damage to property or overcharge for freight or express within a certain time; to provide for the payment of interest on such claims and to provide for the recovery of Attorney's fee in case of failure of the Common Carrier to adjust and pay such claims within the time limited herein and to make this an accumulative act.
210.....	AN ACT entitled an act relating to and governing contracts for the shipment of live stock and the giving of notice or claim for loss or damage thereof.
211.....	AN ACT to amend Chapter 217 of the Session Laws of 1907 of the State of South Dakota, relating to the construction of railroad lines.
212.....	AN ACT entitled an act relating to railroad crossings.
213.....	AN ACT entitled an act to promote the safety of the general public and the employees of the railroads in the State of South Dakota by requiring all Railway Corporations or Receivers or Lessors thereof operating a line of railroad in the State of South Dakota to equip all locomotive engines used in road service in the night-time with head lights of not less than 1500 candle power measured without the aid of a reflector and providing a penalty for the violation of this act.
214.....	AN ACT entitled an act defining the character of cars to be supplied for the shipment of grains or other commodities and in certain cases authorizing shippers to repair the same at the cost of the common carrier.
215.....	AN ACT entitled, an act to amend Chapter 39 of the Session Laws of 1909, requiring the railroad companies to provide suitable toilet rooms in the railroad stations, waiting rooms and places adjacent thereto.
216.....	AN ACT entitled, an act reviving and restoring to the Duluth, Pierre and Black Hills railroad company and its assigns, its charter, corporate powers, franchises, properties and property rights.

217.....	AN ACT entitled, an act abolishing the office of Telephone Inspector and conferring the duties of that office upon the Railroad Commissioners.
218.....	AN ACT entitled, an act to amend Sections 2, 4, 5, 6, 7, 10, 11, 12, and 13 of Chapter 239 of the Session Laws of South Dakota for the year 1909 relating to Telephone Companies and the Jurisdiction of the Board of Railroad Commissioners to regulate the same.
219.....	AN ACT providing for the registration of voters for all special and all regular annual elections in all cities and incorporated towns in South Dakota.
220.....	AN ACT entitled, an act prescribing rules and regulations for registration and enrollment of voters at party primary elections and providing penalty for the violation thereof.
221.....	AN ACT entitled, an act relating to the control, supervision, construction, repairs and drainage of public highways.
222.....	AN ACT entitled, an act amending Section 2847 of the Revised Political Code of 1903 pertaining to the hours for closing saloons and bars.
223.....	AN ACT to amend Section 568 of the Revised Political Code of 1903 relating to the admission of pupils at, and the term of attendance upon the South Dakota school for the deaf.
224.....	AN ACT defining the powers and duties of the Commissioner of School and Public Lands, regulating the leasing and sale of common school and endowment lands, providing for the apportionment and investment of the common school and endowment land funds, providing for the sale of timber and coal, and repealing certain laws in relation thereto.
225.....	AN ACT authorizing counties to issue bonds or warrants to procure seed grain for needy farmers resident therein.
226.....	AN ACT to amend Section 110 of Chapter 3 of the Revised Code of Civil Procedure of the State of South Dakota relating to the manner of serving summons in Civil Actions.
227.....	AN ACT entitled, an act to amend Sections 53 and 54 of Chapter 1 of the Political Code of South Dakota for 1903 and Sections 5 and 19 of Chapter 205 of the Session Laws of 1907 pertaining to the printing and distributing of Session Laws.
228.....	AN ACT to amend sub-divisions two, three and six of Section ten and Sections seventeen, eighteen and twenty-one, of Chapter 110 of the laws of 1909 of the State of South Dakota, relating to the construction of sewer systems in cities.
229.....	AN ACT entitled, an act to amend Chapter 244, of the laws of 1909, being an act entitled, an act amending paragraphs 1830, 1832 and 1833 of the Revised Political Code of 1903 of the State of South Dakota and providing for the fees of sheriffs and to provide a method of summoning jurors by mail after January 1, 1911, and repealing Sections 718 and 719 of the Political Code.
230.....	AN ACT entitled, an act creating a Board of Managers for the Soldiers' Home, fixing their terms of office and compensation; prescribing their duties; creating County Boards of examiners; and prescribing the qualifications of applicants for admission to the Soldiers' Home.
231.....	AN ACT entitled, an act to amend Section 3, of Chapter 262, of the Session Laws of 1909, relating to the regulation of the public service of stallions and jacks; to require the registration of stallions and jacks, and to provide for the enforcement thereof.

232.....	AN ACT entitled, an act to amend Section 3 of Chapter 76 of the laws of 1907, relating to the State Board of Agriculture, as amended by Chapter 215 of the laws of 1909, of the State of South Dakota.
233.....	AN ACT authorizing the state through the South Dakota State Board of Agriculture to acquire property for State Fair purposes by condemnation or otherwise.
234.....	AN ACT entitled, an act creating a State Board of Finance, designating its membership and defining its powers and duties; establishing state depositories of state funds and monies in the hands of or under the control of the State Treasurer and defining the conditions under which they may become such depositories; authorizing the Board to fix and designate the rate of interest to be paid to the state by said depositories; defining the duties of the State Treasurer in reference to such deposits and requiring him to account to the state for all monies received by him as such Treasurer, including interest received on the same; making it a criminal offense for the officers of said state depository and the State Treasurer to make any false statement in reference to such state deposits and the interest paid thereon and providing a penalty therefor; making it a criminal offense for the Treasurer to make a profit out of the state money, also making it a criminal offense to give any thing of value as inducement to deposit funds of the state in any bank and providing penalties; providing for the payment of premiums on official bond of State Treasurer and his deputies and appropriating money therefor.
235.....	AN ACT entitled an act relating to the State Sanitarium and Farm at Custer, South Dakota, defining the eligibility of applicants for admission therein, fixing the cost of treatment to be paid by patients and counties, providing for appointment of physicians, defining the duties of physicians, county judges, states attorneys, county treasurers, county commissioners, sanitarium superintendent, state board of charities and corrections and circuit courts, with reference thereto.
236.....	AN ACT providing for the cost of treatment of patients at the State Sanitarium at Custer and the levying of taxes therefor and defining the duties of the county auditor, county treasurer, the sanitarium superintendent, the state auditor, state treasurer, attorney general and county commissioners, with reference thereto.
237.....	AN ACT to amend Section 3145 of the Revised Political Code of 1903 as amended by Chapter 80 of the Session Laws of 1907, relating to the bonds or insurance on steam threshers.
238.....	AN ACT entitled, an act regulating the sale of concentrated commercial feeding stuffs and stock foods; and licensing the same; defining the duties of the Food and Drug Commissioner of South Dakota, and providing penalties for the violation thereof.
239.....	AN ACT to provide for the payment of expenses of the Judges of the Supreme Court while absent from the places of their legal residence in the discharge of their duties as such Judges and to provide for an allowance to such Judges when they live at Pierre.
240.....	AN ACT providing for the survey of townships for taxation purposes.
241.....	AN ACT entitled, an act relating to the payment of taxes in cases where tax records are destroyed.

242.....	AN ACT authorizing and empowering the State Board of assessment and equalization to levy a tax of two mills on the dollar on the assessed valuation of all taxable property in the state at their annual meeting in August 1911 and August 1912 for the purpose of paying the delinquency of the preceding year.
243.....	AN ACT to amend Section 1265 of the Revised Political Code of 1905, as amended by Chapter 201 of the Session Laws of 1908.
244.....	AN ACT entitled, an act to empower cities of the first class to levy and collect a tax for the purpose of advancing the City's interest and well-fare by advertising its advantages as a city for homes and business enterprises.
245.....	AN ACT entitled, "An act authorizing the consolidation of state tax funds and placing the same to the credit of the general funds."
246.....	AN ACT to amend Section 2207 of the Revised Political Code of South Dakota for 1903, relating to issuance of tax deeds to counties, procedure relating thereto, and disposition of proceeds arising from sale of property acquired thereby.
247.....	AN ACT entitled an act to amend Chapter 194 of the Session Laws of South Dakota, for the year 1909, being an act to amend Section 2212 of the Revised Political Code of the State of South Dakota of 1903, relating to tax deeds.
248.....	AN ACT entitled an act to amend Sections 11, 12, 13, and 14 of Chapter 64 of the Session Laws of 1907, relating to assessment of Telegraph Companies.
249.....	AN ACT entitled an act amending Section 486 of the Code of Civil Procedure of 1903, pertaining to the testimony of husband and wife.
250.....	AN ACT entitled, an act to amend Section 1137 of the Revised Political Code of 1903, relating to the issue of bonds in organized townships.
251.....	AN ACT to transfer money into the special militia fund.
252.....	AN ACT to amend Sections 2 and 4 of Chapter 163 of the Session Laws of 1909 of the State of South Dakota, relating to the manufacture, sale, keeping for sale, or transportation of adulterated or misbranded, poisonous or deleterious foods, dairy products or liquors.
253.....	AN ACT entitled, an act to amend Sections 538, 539, and 540 of Chapter 46, Revised Penal Code, 1903, as amended by Chapter 95, Session Laws of 1909, relating to trespass on State lands, and providing penalties for violations of law in relation thereto.
254.....	AN ACT entitled, an act, to repeal Sections 10, 11 and 12 of Chapter 244 of the Session Laws of 1907, relating to the damages for trespass of animals.
255.....	AN ACT entitled an act to provide for the organization of trust companies, defining their powers, and to repeal Chapter 74 of the Session Laws of 1905.
256.....	AN ACT entitled, an act to reorganize the banking department of the State of South Dakota and to bring Trust Companies and banks more fully under the control and supervision of the Public Examiner, and to repeal Sections one, two three, four, five, six, seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen and nineteen of Article one of Chapter 222 of the Session Laws of 1909, relating thereto and providing penalties therefor.

257.....	AN ACT entitled, an act to provide for the use of uniform blanks in real estate transfers; providing also that such instrument of transfer recite certain facts, and providing for the enforcement thereof.
258.....	AN ACT to require Judges of primary and other elections to make unofficial election returns to the County Auditor of their county, and requiring County Auditors to make unofficial election returns of such elections to the Secretary of state.
259.....	AN ACT entitled, an act to amend Section 3 of Chapter 22, of the Session Laws of 1909, entitled, "An act to insure the better education of practitioners of veterinary medicine and surgery, to regulate the practice of veterinary medicine and surgery in the State of South Dakota, and to constitute a Board of Examiners in veterinary medicine and surgery, and to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof."
260.....	AN ACT, entitled, an act to amend Section sixteen of Chapter sixty-three of laws of 1905 pertaining to vital statistics.
261.....	AN ACT entitled, an act providing a method of determining the rental value of warehouse, coal shed or other building sites to be paid by owners of public warehouses, coal sheds or other buildings upon the right-of-way, depot grounds or warehouse lots of any railroad company.
262.....	AN ACT entitled, an act to amend Section 58 of Chapter 180 of the Session Laws of 1907, regulating appropriation, distribution and use of waters for irrigation, mining, water power, and other beneficial uses.
263.....	AN ACT entitled, an act to amend Section 31 of Chapter 180 of the Session Laws of 1907, relating to water rights.
264.....	AN ACT to amend Section 1846 of the Revised Political Code of 1903, pertaining to witness fees.
265.....	A JOINT RESOLUTION Proposing and Agreeing to an Amendment of Section Two of Article XI of the Constitution of the State of South Dakota, and Submitting the Same to a Vote of the People.