

sued under the provisions of this act. The said board shall have the power to negotiate said bonds as they shall deem best for the interest of said county; *Provided*, That they shall not negotiate the same at less than par value. All such bonds shall contain a recital that the same are issued in accordance with the provisions and pursuant to the authority of this act. Whenever such bonds shall be issued the tax and assessment hereinbefore provided for shall not be collected all in one year, but shall be divided into as many parts as such bonds have years to run, and one of such parts shall be extended upon the tax roll by the county auditor against the proper parcel of land in each and every year and collected in such year, and such fund shall constitute the sinking fund provided by this section, and the board of county commissioners shall in each year, at the time of levying the taxes, levy a tax sufficient to pay the annual interest on said bonds.

§ 39. REPEAL.] An act entitled "An act to enable the land owners of lands to drain and reclaim them, prescribing the powers and duties of county commissioners and other officers in the premises and to provide for the repair and enlargement of such drains," approved March, 1883, and all acts amendatory thereof and all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed, saving all acts done, all rights acquired at the time this act shall take effect, and any proceedings had or begun under existing law may be carried forward and completed thereunder the same as they might have been had this act not been passed.

Law, by limitation, March 18, 1893.

EDUCATION.

CHAPTER 56.

[H. B. No. 58.]

REPEALING CONFLICTING AND OBSOLETE SCHOOL LAWS.

AN ACT Repealing Chapter 40 of the Political Code of 1877, Relating to Public Education; Chapter 14 of the Session Laws of 1879, Being an Act to Establish a Public School Law for Dakota Territory; Chapter 24 of the Laws of 1881, Being an Act to Empower School Districts to Issue Bonds for Building School Houses; Chapter 64, of the Laws of 1881, Being an Act to Amend an Act Entitled "An Act to Establish a Public School Law for Dakota Territory," Approved, February 22, 1879; Chapter 65 of the Laws of 1881, Being an Act to Amend Sections 8 and 29 of an Act to Establish a Public School Law for Dakota Territory, Approved,

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February 22, 1879; Chapter 66 of the Laws of 1881, Being an Act to Amend Sections 17 and 18 of Chapter 14 of the Laws of 1879; Chapter 67 of the Laws of 1881, Being an Act to Amend Section 40 of an Act to Establish a Public School Law for Dakota Territory; Chapter 68 of the Laws of 1881, Being an Act to Amend Section 40 of an Act to Establish a Public School Law for Dakota Territory; Chapter 69 of the Laws of 1881, Being an Act Making Provisions for the Schooling of Children Living in any Organized District; Chapter 44 of the Laws of 1883, Being an Act to Establish and Provide for the Maintenance of a General and Uniform System of Common Schools and Improve Their Usefulness; Chapter 46 of the Laws of 1883, Being an Act to Create the Office of Assistant Superintendant of Public Instruction, and to Provide for His Salary and Proper Expenses; Chapter 49 of the Laws of 1885, Being an Act to Amend Chapter 44 of the Session Laws of 1883, Entitled Education; Chapter 50 of the Laws of 1885, Being an Act to Amend Chapter 45 of the Laws of 1885, Empowering School Townships to Issue Their Bonds for Building and Furnishing School Houses; Chapter 51 of the Laws of 1885, Being an Act to Amend Section 9 of Chapter 45 of the Laws of Dakota for 1883; Chapter 44 of the Laws of 1887, Being an Act Entitled "An Act to Require Teachers of Public Schools to Keep a Record of the Visits of County Superintendents;" Chapter 45 of the Laws of 1887, Being an Act to Provide for the Registration and Payment of Warrants Drawn by the Secretary and Treasurer of Boards of Education in this Territory and to Prescribe the Rate of Interest Thereon; Chapter 46 of the Laws of 1887, Being an Act to Amend Sections 46 and 66 of Chapter 44 of the General Laws of 1883; Chapter 47 of the Laws of 1887, Being an Act to Amend Chapter 44 of the Session Laws of 1883, Relating to Education.

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

§ 1. REPEAL.] That Chapter 40 of the Political Code of 1887 [1877], relating to public education; Chapter 14 of the Session Laws of 1879, being an act to establish a public school law for Dakota Territory; Chapter 24 of the Laws of 1881, being an act to empower school districts to issue bonds for building school houses; Chapter 64 of the Laws of 1881, being an act to amend an act entitled "An act to establish a public school law for Dakota Territory," approved, February 22, 1879; Chapter 65 of the Laws of 1881, being an act to amend Sections 8 and 29 of an act to establish a public school law for Dakota Territory, approved, February 22, 1879; Chapter 66 of the Laws of 1881, being an act to amend Sections 17 and 18 of Chapter 14 of the Laws of 1879; Chapter 67 of the Laws of 1881, being an act to amend Section 40 of an act to establish a public school law for Dakota Territory; Chapter 68 of the Laws of 1881, being an act to amend Section 40 of an act to establish a public school law for Dakota Territory; Chapter 69 of the Laws of 1881, being an act making provisions for schooling of children living in any organized district; Chapter 44 of the Laws of 1883, being an act to establish and provide

for the maintenance of a general and uniform system of common schools and improve their usefulness; Chapter 46 of the Laws of 1883, being an act to create the office of Assistant Superintendent of Public Instruction and to provide for his salary and proper expenses; Chapter 49 of the Laws of 1885, being an act to amend Chapter 44 of the Session Laws of 1883, entitled "Education;" Chapter 50 of the Laws of 1885, being an act to amend Chapter 45 of the Laws of 1885, empowering school townships to issue their bonds for building and furnishing school houses; Chapter 51 of the Laws of 1885, being an act to amend Section 9 of Chapter 45 of the Laws of Dakota for 1883; Chapter 44 of the Laws of 1887, being an act entitled "An act to require teachers of public schools to keep a record of the visits of county superintendents;" Chapter 45 of the Laws of 1887, being an act to provide for the registration and payment of warrants drawn by the secretary and treasurer of boards of education in the Territory and prescribe the rate of interest thereon; Chapter 46 of the Laws of 1887, being an act to amend Sections 46 and 66 of Chapter 44 of the General Laws of 1883; Chapter 47 of the Laws of 1887, being an act to amend Chapter 44 of the Session Laws of 1883, relating to education, be and the same are hereby expressly repealed.

Approved, February 24, 1893.

CHAPTER 57.

[H. B. No. 129.]

DUTIES OF INSTITUTE CONDUCTORS.

AN ACT to Amend Section 137 of Chapter 62, Laws of 1890, as Amended by Section 27 of Chapter 56, Laws of 1891, State of North Dakota.

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

§ 1. AMENDMENT.] That Section 137 of Chapter 62, Laws of 1890, as amended by Section 27 of Chapter 56, Laws of 1891, State of North Dakota, be amended and re-enacted so as to read as follows:

§ 137. EXPENDITURE OF STATE TUITION FUND.] It shall be the duty of the county superintendent in all cases to consult with the State Superintendent in reference to the management of such institute, and, so far as practicable, to carry out the suggestions of the State Superintendent as to modes of instruction. No salary shall be paid to any conductor of any institute not previously appointed or employed as herein provided. The money hereby appropriated from the State Treasurer for the support of teachers' institutes shall be paid to the persons to whom it is due by warrant of the State Auditor upon the State treasury, which shall be

issued upon the presentation of an account in due form receipted by the person to whom due, and approved by the State Superintendent; *Provided*, That no county shall receive more than ten dollars from the appropriation for the payment of conductors' salaries for each day its institute is in session.

§ 2. EMERGENCY.] There being no law providing for the conducting of institutes; therefore, an emergency exists and this law shall take effect from and after its passage and approval.

Approved, March 6, 1893.

CHAPTER 58.

[S. B. No. 97.]

SALARIES OF COUNTY SUPERINTENDENTS OF SCHOOLS.

AN ACT to Amend Section 1 of Chapter 62 of the Laws of 1891, Relating to the Salary of County Superintendent of Schools.

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

§ 1. AMENDMENT.] That Section 33 of Chapter 62, Laws of 1890, as amended by Section 1, Chapter 62, Laws of 1891, be amended to read as follows:

§ 33. SALARY—HOW COMPUTED.] That the salary of the county superintendent shall be as follows: In each county having one school and not over five, one hundred (100) dollars; six schools and not over ten, two hundred (200) dollars; eleven schools and not over fifteen, three hundred (300) dollars; sixteen schools and not over twenty, four hundred (400) dollars; twenty-one schools and not over twenty-five, five hundred (500) dollars; twenty-six schools and not over thirty, six hundred (600) dollars; thirty-one schools and not over thirty-five, seven hundred (700) dollars; thirty-six schools and not over forty, eight hundred (800) dollars; forty-one schools and not over fifty, nine hundred (900) dollars, and for each additional ten schools or major fraction thereof, one hundred (100) dollars additional; *Provided*, That in computing the salary of the county superintendent no school shall be included unless the same shall have been taught at least three months during the preceding year; *Provided, further*, That it shall not exceed \$1,500 in any county. In addition thereto he shall receive seven (7) cents a mile for the distance actually and necessarily traveled by him in the discharge of his duties. He shall, at the end of every three months, make and furnish to the county commissioners an itemized statement of the distance so traveled in the discharge of his duties, which shall be audited by and ordered paid by said board of county commissioners. The amount of his salary shall be determined each year by the actual number of schools or separate departments in graded schools, over which the county su-

perintendent had official supervision the preceding year, and shall be paid out of the county general fund monthly, upon the warrant of the county [auditor.] In every county which shall be organized for school purposes after the passage of this act, the county superintendent shall be paid a salary at the rate of one hundred (100) dollars a year until the first Monday in October next following his election, after which his salary shall be fixed as provided for in this section. The county superintendent may appoint a deputy who shall perform the duties of the county superintendent in his absence from the county; *Provided*, That no additional salary shall be paid such deputy, except that in counties having eighty or more schools the county commissioners may appropriate not to exceed one hundred (100) dollars for clerical assistance in the office of the county superintendent, but he shall be paid seven (7) cents a mile for the distance actually and necessarily traveled, in the same manner the county superintendent is paid; *Provided, further*, That the county superintendent shall be responsible for the official acts of such deputy.

Approved, March 6, 1893.

CHAPTER 59.

[S. B. No. 109.]

CHANGING BOUNDARIES OF SCHOOL DISTRICTS.

AN ACT to Amend Section 45, Chapter 62, General Laws of 1890.

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

§ 1. AMENDMENT.] That Section 45 of Chapter 62, General Laws of 1890, be and the same is hereby amended so as to read as follows:

§ 45. BOUNDARIES MAY BE CHANGED IN DISTRICT COUNTIES.] After the boundary lines of the several school districts in any of said counties are re-arranged and established as provided for in the last preceding section of this article, or at any time hereafter, such boundary so established, or any boundary re-arranged and established as aforesaid, may be changed by the county commissioners and superintendent of schools of such county at a regular meeting of the board, upon petition of three-fourths of the resident voters in and of the parts of districts to be included in any new district, or of the parts of districts desiring such change; *Provided*, That there are at least twelve children of school age within the boundaries proposed to be benefited by such change or creation of a new district and it shall appear to the satisfaction of a majority of said board and the county superintendent that such change will be beneficial to the schools and the public; and *Provided, further*, That each congressional township not wholly or in

part included in a civil township, and no part of which is organized for school purposes, shall be formed into a school district as soon as it shall have residing therein twelve or more children of school age.

§ 2. REPEAL.] All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

§ 3. EMERGENCY.] There being no adequate provision for the convenient creation of districts in counties where the district system is now in force, an emergency is hereby declared to exist, and this act shall be in force from and after its passage and approval.

Approved, March 6, 1893.

ELECTIONS.

CHAPTER 60.

[Sub. S. B. 1 and 17.]

AMENDING AUSTRALIAN BALLOT LAW.

AN ACT to Amend Section 1, Sections 2, 4, 5, 16, 17, 18 and 24 of Chapter 66 of the Laws of 1891, Known as the Australian Ballot Law.

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

§ 1. AMENDMENT.] That Section 1 be amended so as to read as follows:

§ 1. BALLOTS—EXPENSE—EXCEPTIONS.] All ballots cast at election for public officers, within this State (except county superintendent of schools and civil township officers in corporate cities or villages having less than 300 legal voters) shall be printed and distributed at public expense, as hereinafter provided. The printing of ballots and cards of instructions for the electors in each county and the delivery of the same to the election officers, as hereinafter provided, shall be a county charge, and for municipalities a municipal charge, the payment of which shall be provided for in the same manner as other county and municipal expenses; *Provided, however*, that municipalities and corporate towns and villages having less than 300 legal voters as listed by the assessor at the last preceding assessment, shall be exempt from the provisions of this act.

§ 2. AMENDMENT.] That Section 2 be amended so as to read as follows:

§ 2. CONVENTIONS MAY NOMINATE.] Any convention held for the purpose of making nominations for public office, and also