

FIRE WARDENS

CHAPTER 125.

[S. B. No. 72—McArthur]

FOREST FIRE WARDENS.

AN ACT Creating the Office of Forest Fire Warden and Prescribing the Powers, Duties and Compensation of Such Office.

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

§ 1. OFFICE OF FOREST FIRE WARDEN CREATED. WHO SHALL SERVE AS WARDENS.] The office of forest fire warden is hereby created. It shall be the duty of each supervisor of a civil township in this state in which at least twenty-five per cent of the total area is wood land, to act as forest fire warden therein. At the second March meeting each year, the township supervisors shall divide their township into three forest fire warden districts, one for each warden. For unorganized townships having at least twenty-five per cent of wood land, the board of county commissioners shall at the regular January meeting of each year, appoint two or more forest fire wardens for each township, each warden to have supervision over such portion thereof as the board may designate, and to serve for a period of one year.

§ 2. POWERS AND DUTIES OF WARDENS.] Each warden shall be empowered and it shall be his duty to take such precautions against the kindling and spreading of forest fires as he may deem necessary, especially in dry and dangerous seasons of the year. He shall have power, and it shall be his duty, whenever his district is threatened with approaching fire, or suffering from forest fires, to call to his assistance any number of able bodied men within his district to proceed to the place of danger and extinguish the fire. Whenever a forest fire has occurred in his district it shall be his duty to proceed immediately to a strict inquiry into the cause and origin of the fire, and in all cases, where such fire has been found to have originated through the unlawful act of any person, it shall be his special duty to make complaint before the proper magistrate.

§ 3. COMPENSATION.] Each forest fire warden shall receive a compensation of three dollars per day for the time actually and necessarily employed in the discharge of his duties. Any employe engaged in like service shall receive a compensation of two and fifty one-hundredths dollars per day. In civil townships such

compensation shall be paid out of the township general fund; in unorganized townships such compensation shall be paid out of the county general fund.

§ 4. REPEAL.] Every act or part of an act in conflict with the provisions of this act is hereby repealed.

Approved March 11, 1909.

FORECLOSURES

CHAPTER 126.

[S. B. No. 10—Steele of Ward]

FORECLOSURE OF MORTGAGES ON REAL PROPERTY.

AN ACT Defining the Duties of the Register of Deeds Relating to Foreclosure of Mortgages on Real Property by Advertisement, and Prescribing the Penalty for Violating the Same.

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

§ 1. DUTY OF REGISTER OF DEEDS.] It shall be the duty of the register of deeds within ten days after the filing of the affidavit of publication of the notice of mortgage foreclosure in foreclosure of real estate mortgages by advertisement, to send by registered mail a copy of such affidavit of publication to the record title owner and to every subsequent mortgagee whose mortgage appears on record, addressed to him at the postoffice given of record in his office. If no postoffice address appears of record or is unknown to the register of deeds, then to the postoffice located nearest the land described in such certificate.

§ 2. AFFIDAVIT OF MAILING.] The register of deeds shall make affidavit setting forth the time and manner of such mailing, the description of such land, the name and postoffice address of the person or persons to whom such affidavit of publication was mailed and attach thereto the registry receipt or receipts, which said affidavit and registry receipt or receipts shall be filed and recorded in his office; provided, the failure of the register of deeds to comply with the provisions of this act shall in no way invalidate the foreclosure proceedings nor affect the title to the property involved.

§ 3. REGISTER OF DEEDS LIABLE FOR DAMAGES.] The failure of the register of deeds to comply with the provisions of this act shall render him liable, in a civil action, to the party entitled to the copy herein described, for any damage sustained by him by reason of such failure.

Approved March 11, 1909.