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COUNTIES

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## CHAPTER 106.

[S. B. 282—Linde]

## ISSUANCE OF BONDS.

AN ACT To Amend and Re-enact Section 2563 of the Revised Codes of the State of North Dakota for the Year 1905, Relating to the Power of Counties to Issue Bonds for the Purpose of Purchasing Sites and Constructing County Buildings.

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

§ 1. **AMENDMENT.]** Section 2563 of the Revised Codes of the State of North Dakota for the year 1905 is hereby amended and re-enacted so as to read as follows:

§ 2563. **POWER TO BOND.]** Whenever in any county in the state, having five hundred votes or more, the county seat shall have been permanently located as provided by law and the buildings occupied by such county for court house, office or jail purposes are inadequate to the wants thereof, or unsafe by reason of extraordinary risk of fire or otherwise, such county may issue bonds for the purpose of purchasing a site for and erecting a court house or jail, or both, under the restrictions and according to the provisions of this article.

§ 2. **EMERGENCY.]** Whereas an emergency exists, this act shall take effect and be in force from and after its passage and approval.

Approved March 3, 1911.

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CHAPTER 107.

[S. B. . o. 79—Steele]

## CHANGING OF COUNTY LINES.

AN ACT to Amend and Re-Enact Section 2323 of the Revised Codes of the State of North Dakota for the Year 1905, Relating to the Changing of County Lines.

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

§ 1. **AMENDMENT.]** That section 2323 of the Revised Codes of the year 1905 of the state of North Dakota be amended and re-enacted to read as follows:

§ 2323. **COUNTY LINES. HOW CHANGED.]** When a majority of

the legal voters residing in any territory, not less than one congressional township, as appears by the vote cast for secretary of state at the last general election, shall petition the board of county commissioners of their county, and also the county to which they desire such territory to be transferred, for leave to have such territory transferred to such county, the boards of county commissioners so petitioned shall order an election for such purpose in their respective counties, to be held at and in connection with the next general election; provided such petition shall be presented to the several boards of county commissioners at least 60 days before such general election and the returns of such election shall be made to the secretary of state.

Approved February 21, 1911.

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## CHAPTER 108.

[H. B. No. 239—Hommes]

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### COMMITMENT WHEN NO JAIL IN COUNTY.

AN ACT to Amend Section 10433 of the Revised Codes of the State of North Dakota for the Year 1905, Relating to the Commitment of Prisoners to Jail from Counties Having No Jail.

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

§ 1. AMENDMENT.] Section 10433 of the Revised Codes of the state of North Dakota, for the year of 1905, is hereby amended to read as follows:

§ 10433. COMMITMENT WHEN NO JAIL IN COUNTY.] Whenever there is no jail erected in any county, every judicial or executive officer of such county who shall have power to order, sentence or deliver any person to the county jail, may order, sentence or deliver such person to the jail of any adjoining county, provided, that whenever the county seat of any other county having a suitable jail may be reached more conveniently and with less mileage by rail than the county seat of the adjoining county having the nearest suitable jail, such officer having power to order, sentence, or deliver any person to jail, shall order, sentence or deliver such person to the jail of such other county, and the jailor of any such adjoining or other county shall receive and keep such prisoner in the same manner as if he had been ordered, sentenced or delivered to him by any officer or court of his own county. The county from which such prisoner is taken shall pay all the expenses of maintaining him in such jail.

§ 2. EMERGENCY.] Whereas, an emergency exists in that under the operation of the law as it now stands prisoners are often necessarily carried further than the county seat of the nearest

county having a suitable jail; therefore this act shall take effect and be in force from and after its passage and approval.

Approved March 3, 1911.

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### CHAPTER 109.

[H. B. No. 419—Moen of Cavalier]

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#### APPOINTMENT AND OBLIGATIONS OF JAILERS.

AN ACT to Amend Section 10430 of the Revised Codes of North Dakota, of 1905, Relating to the Appointment and Obligations of Jailers, and the Manner of Fixing Compepsations to be Allowed for Jailer's Services.

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

§ 1. AMENDMENT.] Section 10430 of the Revised Codes of North Dakota is hereby amended to read as follows:

§ 10430. The jailer or keeper of the jail shall, unless the sheriff elect to act as jailer in person, be a deputy, appointed by the sheriff and such jailer shall take the necessary oath before entering upon the duties of his office. The board of county commissioners of each county shall fix the amount to be paid the sheriff as compensation for such jailer's services; provided, the sheriff shall in all cases be liable for the negligences and misconduct of the jailer as of other deputies.

Approved March 6, 1911.

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### CHAPTER 110.

[H. B. No. 209—Edwards]

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#### RELATING TO THE INVESTMENT OF COUNTY SINKING FUNDS.

AN ACT To Amend Chapter 70, Laws of 1909, Relating to the Investment of County Sinking Funds.

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

§ 1. AMENDMENT.] That Chapter 70 of the 1909 Session Laws be and the same is hereby amended to read as follows: \*

§ 2439. SINKING FUND. DUTY OF COUNTY COMMISSIONERS.] Whenever there shall be accumulated in the sinking fund, or any other revenue county funds established by law, in any of the counties of this state an amount of money exceeding one thousand dollars, and for which there is no immediate use, the Board of County Commissioners of such county are authorized, empowered and shall direct a time deposit of such funds for a

period of one year, as they may deem expedient, either in one or more of the county depositories as created by law, or such state or national bank as said Board of County Commissioners may designate; provided, that the rate of interest offered by banks making bids for sinking funds shall not be less than three per cent per annum; Provided further, that whenever funds accumulated in any sinking or special assessment fund, created for the purpose of redeeming bonds and paying interest thereon, or for carrying on some work of public improvement, are so deposited, the interest received from such time deposit shall belong to and become a part of the sinking or special assessment fund thereunto entitled.

Approved March 6, 1911.

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## COUNTY AUDITORS

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### CHAPTER 111.

[S. B. No. 238—Martin]

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#### DUTIES OF COUNTY AUDITORS.

AN ACT to Amend and Re-Enact Section 2240 Article 45, Chapter 24, of the Revised Codes of North Dakota for the Year 1905, Relating to the Duties of County Auditors and Prescribing How Records of Fees Shall be Kept.

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

§ 1. Section 2240 of article 45, chapter 24 of the revised codes of 1905 is hereby amended and re-enacted to read as follows:

§ 2240. AUDITOR TO CERTIFY ABSTRACTS. FEES.] It shall be the duty of the county auditor to attach his certificate to each abstract of title to real estate of his county that may be presented to him for that purpose, which certificate shall show the amount of taxes due and unpaid against, or tax title affecting the land described in such abstract, as the same may appear from the records of his office, and collect therefor the sum of twenty-five cents for each abstract so certified. He shall keep a book known as a fee receipt book in which shall be kept true and correct records of all fees received by him for any purpose, and it shall be his duty to deliver to the county treasurer to be turned into the general fund on the first day of each month all fees collected by him during the preceding month and take a receipt from the county treasurer therefor, and for each failure or refusal to comply with the provisions of this section, he shall be liable to a fine not exceeding one hundred dollars.