

CHAPTER 119.

[H. B. No. 223—Streeter]

COMPENSATION OF COUNTY COMMISSIONERS.

AN ACT To Amend Section 2613 of the Revised Codes of 1905, Relating to Compensation and Office Hours of County Commissioners.

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

§ 1. AMENDMENT.] That Section 2613 Revised Codes of 1905 be amended to read as follows:

§ 2613. COMPENSATION ALLOWED. OFFICE HOURS.] County Commissioners shall each be allowed for the time they are necessarily employed in the duties of their office the sum of five dollars (\$5.00) per day and five cents (\$.05) per mile for the distance actually traveled in attending the meetings of the board and when engaged in other official duties, to be paid out of the general fund of the county, and their office hours shall not be less than from nine to twelve, a. m. and two to six p. m. during regular or special session held by such board.

Approved March 6, 1911.

DEPUTIES

CHAPTER 120.

[S. B. No. 66—Welsh]

QUALIFICATIONS OF DEPUTIES.

AN ACT To Amend and Re-Enact Section 437 of the Revised Codes of the State of North Dakota, for 1905, Relating to the Qualifications of Deputies of the State, County and Municipal Governments of and Within the State of North Dakota, and Members of Official Boards.

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

§ 1. That Section 437 of the Revised Codes of the State of North Dakota for 1905, be and the same is hereby amended and re-enacted to read as follows:

§ 437. OFFICIALS TO BE RESIDENTS AND CITIZENS.] No person shall be appointed as deputy in any state, county or municipal office, or as a member or officer upon any official board of any kind whatsoever of the state or of any county or municipality

of the state, who is not a citizen of the United States, and who shall not be a bona fide resident of the state.

§ 2. REPEAL.] All acts or parts of acts inconsistent with this act are hereby repealed in so far as they are inconsistent herewith.

§ 3. EMERGENCY.] Whereas, there is now no adequate legislation in this state covering the subjects embraced in this act, therefore this act shall take effect and be in full force from and after the date of its passage and approval.

Approved February 10, 1911.

DISTRICT COURT

CHAPTER 121.

[H. B. No. 50—Fraine]

SHARE OF HEIRSHIP.

AN ACT to Provide for the Determination of Heirship and the Share of Such Heirs Respectively in the Claims to Certain Real Estate by Action in the District Court.

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

§ 1. HEIRS OF DECEASED ENTRYMEN, COURT MAY DETERMINE WHO ARE.] When any person holding a homestead or tree claim under the laws of the United States shall have died before patent therefor has been issued, and, by reason of such death a patent shall afterward be granted to "the heirs" of such person, the district court of the county in which the lands so patented are situated, may, in a civil action brought for that purpose, determine who are such heirs, and determine their respective shares in said homestead or tree claim.

§ 2. PROCEDURE.] The provisions of the Code of Civil Procedure of North Dakota relating to the determination of adverse claims to real estate in so far as the same may be applicable shall pertain and govern the procedure in the action provided for in section 1 hereof.

§ 3. EMERGENCY.] Whereas, an emergency exists in this that there is no law providing for determination of heirship in cases herein provided for, therefore this act shall take effect and be in force immediately after its passage and approval.

Approved March 3, 1911.