

COUNTY SEAT

CHAPTER 116.

[S. B. No. 219—Mudgett.]

COUNTY SEAT REMOVAL.

AN ACT to Amend Section 2361 of the Revised Codes of 1905 as Amended by Chapter 61 of the Session Laws of 1907, Being Section 3236 Compiled Laws 1913, of the State of North Dakota, Relating to the Removal of County Seats and Prescribing the Votes Required Therefor.

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

§ 1. That Section 2361 of the Revised Codes of 1905 as amended by Chapter 61 of the Laws of 1907, being Section 3236 Compiled Laws 1913, of the State of North Dakota, be and the same is hereby amended and re-enacted to read as follows:

§ 2361. BALLOT. HOW MARKED. NOTICE OF RESULT.] In voting on the question, each elector must vote for the place in the county which he prefers by placing opposite the name of the place the mark (X). When the returns have been received and compared and the result ascertained by the board, if two-thirds or more of all the legal votes cast by those voting on the proposition are in favor of any particular place, the board must give notice of the result by posting notices thereof in all the election precincts in the county and by publishing a like notice in a newspaper published in the county at least once a week for four weeks; *provided*, however, that if at a special election called upon a thirty day notice given as provided by Section 982, Compiled Laws, 1913, by the Board of County Commissioners who, by the filing of the petition, are required to call the same within fifteen days thereafter, and which election must be held prior to January 1st, 1917, in any county which, at the time said petition is presented to the Board of County Commissioners, has no court house, or has a court house building and jail the actual cash value whereof does not exceed the sum of ten thousand (\$10,000.00) dollars and which court house at the time of filing the petition is situated in a city, town or village the nearest boundaries of which are less than three (3) miles and 4,000 feet from one of the boundary lines of said county or in a city, town or village not upon a railroad, sixty per cent. of all the legal votes cast on the proposition at such election in favor of any particular place shall be sufficient to accomplish the removal of the county seat to such place and the notices herein required shall be given accordingly, *provided*, however, that this Act shall not affect county seats within four miles of the state boundary line, nor county seats situated on Sections 13 and 24.

§ 2. APPRAISERS, APPOINTMENT OF, OATH AND REPORT.] The actual cash value of said court house, or court house building and jail, shall be determined by three appraisers who shall be disinterested electors of the judicial district and who shall be appointed by the judge of the district court upon the application, in writing, without notice, by any one or more of the petitioners for such removal, which application may be presented to such judge at any time within ten days after the presentation of the petition; such appraisers shall be appointed in writing within ten days after the application is presented to the said judge and the appraisers shall qualify by taking and filing the oath required by Section 211 of the Constitution, with the County Auditor; they shall inspect said buildings and may hear testimony and they shall find the actual cash value thereof and report the same to the County Auditor in writing within twenty days after their appointment and their appointment and oath shall be filed with such report.

§ 3. APPRAISERS, COMPENSATION OF.] The appraisers shall receive compensation at the rate of five dollars per day for all time necessarily employed in the performance of their duties and the making of their report, together with their actual expenses; the same to be audited and allowed by the Board of County Commissioners; *Provided*, that the provisions of this Act shall not apply to county seats located near or on the border of the Missouri River.

§ 4. REPEAL.] All Acts or parts of Acts in conflict herewith are hereby repealed.

Approved, March 13, 1915.

CHAPTER 117.

[S. B. No. 218—Mudgett.]

COUNTY SEAT ELECTIONS.

AN ACT to Amend and Re-enact Section 3239 of the Compiled Laws of the State of North Dakota for 1913 Relating to the Frequency of Holding an Election for the Removal of County Seats.

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

§ 1. AMENDMENT.] That Section 3239 of the Compiled Laws of the State of North Dakota for 1913 is hereby amended and re-enacted to read as follows:

§ 3239. ELECTION HELD ONLY ONCE EVERY FOUR YEARS.] When an election has been held and at least two-thirds of the votes cast at such election are not cast for some other place than that fixed by law as the former county seat, no second election for the removal thereof must be held within four years thereafter; *provided*, however, that in counties wherein the county seat is not located on a railroad an election for the removal thereof may be held at any general election.

Approved, March 13, 1915.