- § 2. Contracts to be Advertised.] All purchases of road machinery and other articles or contracts for the improvements of the highways which shall exceed the sum of one hundred dollars, shall be advertised in the manner as now provided by law for the purchase of county supplies.
- § 3. EMERGENCY.] Whereas, an emergency exists in that there is no provision in the laws providing for the County Commissioners to purchase road machinery, therefore, this Act shall take effect and be in force from and after its passage and approval.

Approved, March 3, 1915.

COUNTY

CHAPTER 109.

[H. B. No. 37—Stinger.]

COUNTY AGRICULTURAL ASSOCIATIONS.

AN ACT for the Amendment of Section 1867 of the Compiled Laws of North Dakota for 1913, Relating to County Fairs.

- § 1. AMENDMENT.] That Section 1867 of the Compiled Laws of North Dakota for 1913, relating to county fairs, be amended to read as follows:
- § 1867. AMENDMENT. CERTAIN COUNTIES MAY AID. TIONS. APPLICATION. LEVY OF TAX. If in any county, the taxable real estate and personal property within which has an assessed value of not less than one and one-half million dollars, there may be organized a county agricultural association all of whose executive officers and directors shall be citizens of said county, such association may apply to the County Board of Commissioners of such county for a grant to aid in the erection of suitable buildings and other improvements to accommodate its patrons and exhibits to be made at any fair to be held by any such association and to pay premiums and expenses that may be awarded on such exhibits. Applications for such grant shall be made in writing, and must show that such association is duly incorporated, the names and places of residence of all its executive officers, that it is the owner in fee of real property in such county, sufficient in area for the purpose of its fair and of the value of at least twenty-five hundred dollars. If such Board of County Commissioners shall be satisfied that the statements in such application are true and that such association intends in good faith to hold a fair within said county annually for the exhibition of agricultural, horticultural, mechanical and manu-

factured products of such county, live stock and such articles as are usually exhibited at such fairs, they may, at the time specified in Section 2133, levy a tax not to exceed, for the first year's grant of such aid, one-half of a mill on all the taxable property within such county and the same shall be collected as other taxes. If such tax be levied the Board of County Commissioners shall, not later than July thirty-first thereafter, pay to the secretary of such association the amount of the tax so levied and take the receipt of such association therefor.

Approved, February 23, 1915.

CHAPTER 110.

[H. B. No. 416-Morrison.]

CREATING COUNTY BOARD OF HIGHWAY IMPROVEMENTS.

AN ACT Creating a Board of Highway Improvements Within each County of this State, Providing for Their Election, Duties, Meetings and Compensation.

- § 1. There is hereby created in each county within the State of North Dakota, an organization to be known as the Board of Highway Improvements. Said board shall consist of one member from each road district within each county; the chairman of the board of supervisors shall be ex-officio member of said Board of Highway Improvements, and it shall be his duty to attend the meeting of said Board of Highway Improvements as hereinafter provided for.
- § 2. The Board of Supervisors of any district may by resolution elect one of the members as such member of the Board of Highway Improvements instead of the chairman of said board, in which event, said member so elected shall be the member for the year succeeding his election, and shall act in the place of the chairman of said Board of Supervisors, as a member of the Board of Highway Improvements.
- § 3. That said Board of Highway Improvements shall meet on the second Monday in March of each year at the county seat, and it shall be their duty to formulate plans and methods for the uniform working and establishing of highways within their county; and such methods as they shall adopt shall be followed in each of the districts of said county, provided, that no plan or resolution shall be adopted by said board that is in conflict with any law with reference to highways. A majority vote of all the members of the county present shall be sufficient to pass such resolution, or to establish such method as may be proposed by said board or any member thereof.
 - § 4. It is the purpose of this Act to establish a board with full

authority to adopt rules and regulations whereby there may be a uniform system throughout the county for the construction and maintenance of highways, especially with reference to the establishing of grades and cuts, and the construction of bridges and culverts and approaches thereto; and it shall be the duty of the supervisors and road overseers in each of the townships or road districts to follow the method, rules and regulations adopted by the said board for the construction and maintenance of highways, unless otherwise ordered by any township supervisors.

§ 5. Each member attending said meeting of said Board of Highway Improvements as herein provided for, shall be allowed three dollars (\$3.00) per day for each day's attendance at the annual meeting, and five cents (5c.) per mile one way mileage, provided, that said meeting shall not continue for a longer period than two days; said per diem and mileage to be paid out of the road fund immediately after the regular or special meeting of the township board upon the filing of a verified statement by the members so attending such annual meeting of the Board of Highway Improvements.

§ 6. Said Board of Highway Improvements shall elect a secretary and president, and it shall be the duty of the secretary to provide a permanent record book and to keep a full and complete record of all resolutions and rules adopted and all methods and proceedings had at said annual meeting; the expense incidental to the keeping of such permanent record book and all expenses incidental to said organization to be pro-rated among the respective townships and paid on the filing of a verified statement by said secretary.

§ 7. This law shall not apply to streets, alleys or highways within any incorporated city, town or village within the state.

Approved, March 10, 1915.

CHAPTER 111.

[H. B. No. 228—Johnson.]

PERMITTING INCREASE OF COUNTY BRIDGE TAX.

AN ACT to Amend Section 2150 of the Compiled Laws of North Dakota for the Year 1913, Relating to State and County Tax Rate, Road Tax and Sinking Fund.

- § 1. AMENDMENT.] That Section 2150 of the Compiled Laws of North Dakota for the year 1913 is hereby amended to read as follows:
- § 2150. The rate of the general state tax shall not be more than four mills on the dollar valuation; and for ordinary county revenue,

including the support of the poor, not more than eight mills on the dollar; and for roads and bridges, a poll tax of one dollar and a half, or one day's work, on every male person between the ages of twenty-one and fifty years; a bridge tax not to exceed four mills on the dollar, and a road tax not to exceed five mills on the dollar, valuation, to be paid in money or in labor at the rate of one dollar and a half per day, at the option of the person taxed, and the certificate that the person named therein has actually performed eight hours' labor for each day's work so certified, shall be received by the County Treasurer in discharge of said tax to the amount so certified; and a further tax not to exceed two mills on the dollar upon all taxable property in the county for emergency purposes; for county sinking fund, such rate as may be fixed by any funding act passed by the legislative assembly, or in the absence of a provision in any such act, or in counties that shall not have funded their indebtedness, then such rate as, in the estimation of the Board of County Commissioners, will pay one year's interest on all the outstanding debts of the county, with ten per cent. on the principal sum of such debts.

Approved, February 16, 1915.

CHAPTER 112.

[S. B. No. 180—Senate Committee on Appropriations.]

SALARIES COUNTY OFFICIALS BASED ON POPULATION.

AN ACT Providing for Salaries of County Auditors, County Treasurers, Registers of Deeds, County Judges, State's Attorneys and Assistants, Clerks of the District Courts and Sheriffs, and Repealing Sections 1137, 3492, 3500, 3506, 3508, 3512, 3520 of the Compiled Laws of North Dakota for 1913, the Same Being Sections 777, 2578, 2580, 2586, 2592, 2594 and 2598 of the Revised Codes for 1905 with any and all Amendments Thereto, and also Section 1 of Chapter 275 of the Session Laws of 1911.

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

§ 1. County Auditor's Salary.] The salary of the County Auditor shall be regulated by the population in his county according to the last preceding official state or federal census as follows: Provided, that no County Auditor shall receive more than twelve hundred dollars for his personal and official services in any one year in counties having a population of less than five thousand; one thousand five hundred dollars in counties having a population of five thousand and not exceeding seven thousand; eighteen hundred dollars in counties having a population exceeding seven thousand and not exceeding twelve thousand dollars in counties having a population exceeding twelve thousand and not exceeding twenty thousand; two thousand two hundred dollars in counties

having a population exceeding twenty thousand and not exceeding twenty-five thousand; two thousand four hundred dollars in counties having a population exceeding twenty-five thousand and not exceeding thirty-five thousand; two thousand eight hundred dollars and no more, in counties having a population exceeding thirty-five thousand; which salary shall be paid monthly from the general county fund on the warrant of the County Auditor.

All moneys received as fees of every nature, kind or description in his official capacity, or commissions and compensation for services on boards created by law, shall be paid by the County Auditor at the end of each month into the general fund of the county.

- § 2. County Treasurer's Salary.] The salary of the County Treasurer shall be the same as that of the County Auditor, which salary shall be paid monthly from the general county fund on the warrant of the County Auditor. All moneys received as fees of every nature, kind or description in his official capacity, or commissions and compensation for services on boards created by law, shall be paid by the County Treasurer at the end of each month into the general fund of the county.
- § 3. SALARY OF REGISTER OF DEEDS AND THE CLERK OF THE DIS-TRICT COURT. The salary of the Register of Deeds shall be regulated by the population in his county according to the last perceding official state or federal census, as follows: Provided, that no Register of Deeds and the Clerk of the District Court shall receive more than twelve hundred dollars for his personal services in any one year in counties having a population of less than five thousand; one thousand three hundred and fifty dollars in counties having a population of five thousand and not exceeding six thousand; one thousand five hundred dollars in counties having a population exceeding six thousand and not exceeding seven thousand; one thousand seven hundred dollars in counties having a population exceeding seven thousand and not exceeding ten thousand; one thousand eight hundred dollars in counties having a population exceeding ten thousand and not exceeding twenty thousand; two thousand dollars and no more in counties having a population exceeding twenty thousand, which salary shall be paid monthly from the general fund on the warrant of the County Auditor.

All moneys received as fees of every nature, kind or description in his official capacity, or commissions and compensation for services on boards created by law, shall be paid by the Register of Deeds and the Clerk of the District Court at the end of each month into the general fund of the county.

§ 4. SALARY AND EXPENSES OF THE COUNTY SUPERINTENDENT OF SCHOOLS.] The County Superintendent of Schools shall receive an annual salary equal to that paid to the Register of Deeds of his county, which salary shall be paid monthly on a warrant of the County Auditor on the County Treasurer, and in addition thereto he shall receive ten cents per mile for the distance actually and

necessarily traveled by him or his field deputy in the discharge of his duties within the county and in attendance at meetings of County Superintendents, called by the Superintendent of Public Instruction, as provided by law. He shall, at the end of every three months, make and furnish to the County Commissioners, an itemized statement, subscribed and sworn to, of the distance so traveled in the discharge of his duties, which shall be audited and ordered paid by the Board of County Commissioners.

All moneys received as fees, of every nature, kind and description, in his official capacity, or commissions and compensation for services on boards created by law, shall be paid by the Superintendent of Schools at the end of each month, into the general fund of

the county.

SALARY OF THE COUNTY JUDGE. The salary of the County § 5. Judge shall be regulated by the population in his county according to the last preceding official state or federal census, as follows: Provided, that no County Judge shall receive more than one thousand dollars for his personal services in any one year in counties having a population of less than five thousand; twelve hundred dollars in counties having a population of five thousand and not exceeding seven thousand; thirteen hundred and fifty dollars in counties having a population exceeding seven thousand and not exceeding nine thousand; fifteen hundred dollars in counties having a population exceeding nine thousand and not exceeding eleven thousand; seventeen hundred dollars in counties having a population exceeding eleven thousand and not exceeding fifteen thousand; eighteen hundred and fifty dollars in counties having a population exceeding fifteen thousand and not exceeding nineteen thousand; two thousand dollars and no more, in counties having a population exceeding nineteen thousand, which salary shall be paid monthly from the general county fund on the warrant of the County Auditor; provided, that the salary of the County Judge in counties having increased jurisdiction shall not be affected by the provisions of this Article; provided, further, that the maximum salary of County Judges in counties having increased jurisdiction shall be limited to two thousand five hundred dollars as provided by Section 8973 of the Compiled Laws of 1913.

All moneys received as fees, of every nature, kind and description in his official capacity, or commissions and compensation for services on boards created by law, shall be paid by the County Judge at the end of each month into the general fund of the county.

§ 6. Salary of Sheriff.] The salary of the Sheriff shall be regulated by the population in his county according to the last preceding official state or federal census, as follows: *Provided*, that no Sheriff shall receive more than fifteen hundred dollars for his personal services in any one year in counties having a population of less than seven thousand; sixteen hundred and fifty dollars in counties having a population of seven thousand and not exceeding

nine thousand; one thousand eight hundred dollars in counties having a population exceeding nine thousand and not exceeding eleven thousand; one thousand nine hundred dollars in counties having a population exceeding eleven thousand and not exceeding thirteen thousand: two thousand dollars in counties having a population exceeding thirteen thousand and not exceeding fifteen thousand; two thousand one hundred dollars in counties having a population exceeding fifteen thousand and not exceeding seventeen thousand: two thousand two hundred dollars in counties having a population exceeding seventeen thousand and not exceeding nineteen thousand; two thousand three hundred dollars in counties having a population exceeding nineteen thousand and not exceeding twentythree thousand; two thousand four hundred dollars in counties having a population exceeding twenty-three thousand and not exceeding twenty-four thousand; two thousand five hundred dollars in counties having a population exceeding twenty-four thousand and not exceeding twenty-five thousand; two thousand six hundred dollars in counties having a population exceeding twenty-five thousand and not exceeding twenty-six thousand; two thousand seven hundred dollars in counties having a population exceeding twenty-six thousand and not exceeding twenty-seven thousand; two thousand eight hundred dollars in counties having a population exceeding twentyseven thousand and not exceeding twenty-eight thousand; two thousand nine hundred dollars in counties having a population exceeding twenty-eight thousand and not exceeding twenty-nine thousand; three thousand dollars and no more, in counties having a population exceeding twenty-nine thousand; which salary shall be paid monthly from the general county fund on the warrant of the County Auditor.

All moneys received as fees of every nature, kind or description in his official capacity, or commissions and compensation for services on boards created by law, excepting mileage and livery, shall be paid by the Sheriff at the end of each month into the general fund of the county.

§ 7. Salary of State's Attorney shall be regulated by the population in his county according to the last preceding official state or federal census, as follows: Provided, that no State's Attorney shall receive more than eight hundred dollars for his personal services in any one year in counties having a population of less than six thousand; one thousand dollars in counties having a population of six thousand and not exceeding seven thousand; one thousand two hundred dollars in counties having a population exceeding seven thousand and not exceeding eight thousand; one thousand four hundred dollars in counties having a population exceeding eight thousand and not exceeding nine thousand; one thousand five hundred dollars in counties having a population exceeding nine thousand and not exceeding ten thousand; one thousand six hundred dollars in

counties having a population exceeding ten thousand and not exceeding twelve thousand; one thousand seven hundred dollars in counties having a population exceeding twelve thousand and not exceeding fourteen thousand; one thousand eight hundred dollars in counties having a population exceeding fourteen thousand and not exceeding sixteen thousand; two thousand dollars and no more, in counties having a population exceeding sixteen thousand; provided, that in counties having a population exceeding nineteen thousand an Assistant State's Attorney shall be appointed by the State's Attorney, who shall receive a salary fixed by the County Commissioners; provided, however, such salary shall not be less than six hundred dollars per annum, payable monthly; and in counties having a population exceeding twenty thousand the County Commissioners may, whenever they deem it necessary, and for such time as they deem necessary, by resolution, authorize the State's Attorney to appoint a clerk who shall be subject to discharge by the State's Attorney and whose salary shall be fixed by the County Commissioners and paid by the county. In counties having a population of less than nineteen thousand the salary of the Assistant State's Attorney, if one is allowed by the County Commissioners, shall be fixed by the County Commissioners, and in such counties, having a population of less than nineteen thousand, the County Commissioners may, whenever they deem it necessary, and for such time as they deem necessary, by resolution, authorize the State's Attorney to appoint a clerk in lieu of an Assistant State's Attorney, which clerk shall be subject to discharge at any time by the State's Attorney and whose salary shall be fixed by the County Commissioners and paid by the county, which salary shall be paid monthly from the general fund on the warrant of the County Auditor. All moneys received as fees, of every nature, kind and description, in his official capacity, or commissions and compensation for services on boards created by law, shall be paid by the State's Attorney at the end of each month into the general fund of the county.

- § 8. When Not to Apply.] The provisions of this Act shall not apply to the present term of officers elected or appointed prior to the taking effect of this Act; provided, further, that the salary of the officers herein enumerated shall be the same during the remainder of the term for which they may have been elected or appointed, as they are respectively receiving at the time this Act takes effect. Whereas, an emergency exists in that certain newly organized counties have now no adequate assessment on which to base the salaries fixed by law for county officers, this Act shall take effect and be in force from and after its passage and approval, as to such counties.
- § 10. Repeal.] Sections 1137, 3492, 3494, 3500, 3506, 3508, 3512 and 3520 of the Compiled Laws of North Dakota for 1913, the same being Sections 777, 2578, 2580, 2586, 2592, 2594 and 2598 of the Revised Codes of North Dakota for 1905 with any and all

amendments thereto, and also Section 1 of Chapter 275 of the Session Laws of 1911 are hereby expressly repealed.

§ 10. All Acts and parts of Acts in so far as they are in conflict with this Act are hereby repealed.

Approved, March 8, 1915.

CHAPTER 113.

[H. B. No. 363—Tollack.]

COUNTIES LIABLE FOR COST OF CARE OF PATIENTS IN INSTITU-TION FOR FEEBLE MINDED.

AN ACT Relating to the Care of the Feeble Minded, Providing that the Cost of Keeping Patients in the Institution for the Feeble Minded shall be a Charge Against the County Sending such Patient; that Persons Liable to Support such Defective Person shall, when Able, Pay the Expense of Treatment; and Amending Section 1717 of the Compiled Laws of 1913 and Repealing Section 1718 of the Compiled Laws of 1913.

- § 1. Charge on County.] The expense of the care, board and treatment of each patient in the Institution for the Feeble Minded shall be a charge upon the county from which the patient is sent. Each county shall pay the sum of fifteen dollars per month for the care and treatment of each patient sent from such county to the State Treasurer.
- § 2. Legal Residence Determined.] When the superintendent of the Institution for the Feeble Minded has been duly notified that a patient sent to the said institution from one county has a legal residence in another county, he shall thereafter hold and keep such patient at the expense of the latter county, and such holding shall apply to the expense already incurred in behalf of such patient and remaining unadjusted.
- § 3. Provisions of Law Applicable.] The legal residence of inmates and the adjustment between counties arising out of questions of legal residence, the method, time and manner of certifying the amounts due from the different counties, the method, manner and time of levying the taxes therefor, the penalties for failure of any county to pay, the time of payment, the limitation upon the use of the taxes levied for the care of the feeble minded, the procedure in the case of improper charges, the right of appeal, the application of the provisions hereof to present or future controversies as to proper charges and the expenses chargeable to the estates of deceased feeble minded, shall all be determined in the same manner as is provided in Sections 2570 to 2579 of the Compiled Laws for 1913, inclusive, in the case of insane persons and all the provisions of said Sections are hereby made applicable to the care, maintenance and treatment of feeble minded persons.

- § 4. AMENDMENT. That Section 1717 of the Compiled Laws of 1913 be amended to read as follows:
- § 1717. The person legally responsible for the support of any person admitted to the Institution for the Feeble Minded shall pay the sum of fifteen dollars per month during all the time such defective person is an inmate of the institution. This amount shall be paid to the County Treasurer monthly. If the person liable to pay this amount fails or neglects to make payment thereof upon demand by the Auditor, the Board of County Commissioners may direct the State's Attorney to bring an action in the name of the state against such person for the recovery of such payments as are delinquent.

This action shall be a civil action and shall be brought in the district court of the county responsible for the inmate in the Institution for the Feeble Minded. If the person liable for the support of such inmate be unable to pay such sum, for which inability the certificate of the County Judge of the county from which such inmate was admitted shall be prima facie evidence, such sum shall be a charge upon the county and no action shall be brought or maintained against a person unable to pay for the support of such inmate after the County Judge has issued the certificate herein provided.

§ 5. REPEAL.] That Section 1718 of the Compiled Laws of 1913 be and the same is hereby repealed.

Approved, March 10, 1915.

CHAPTER 114.

[S. B. No. 19-Paulson.]

PERMITS SALE OF COUNTY POOR FARMS.

AN ACT to amend Section 2529 of the Compiled Laws of North Dakota for the Year 1913, Relating to the Purchase, Sale and Management of an Asylum for the Poor.

- § 1. AMENDMENT.] That Section 2529 of the Compiled Laws of North Dakota for the year 1913 is hereby amended to read as follows:
- § 2529. ELECTION, PURCHASE, MANAGEMENT AND SALE.] It shall be lawful for the Board of County Commissioners in the several counties in the state after having submitted the question to the legal voters of the county at any special county or general election whenever the Commissioners may deem it advisable, and if at such election a majority of the legal voters shall vote in favor of the proposition, to purchase a tract of land in the name of the county, and build, establish and organize thereon, an asylum for the poor

and to employ some humane and responsible person, a resident of the county, to take charge of the same upon such terms, and under such restrictions as the board shall consider most advantageous for the interests of the county, who shall be called superintendent of the County Asylum; and it shall be lawful for the County Commissioners of two or more counties, after having been so authorized, by a majority of the legal voters of their respective counties, in the manner prescribed in this Section, jointly to purchase lands and erect asylums and to continue such joint ownership during their pleasure; and to do such other things necessary and proper for the relief of the poor within such counties as might be done by a county acting alone, provided, that the Commissioners of any county now owning and operating an asylum for the poor located over ten miles by the nearest traveled route, from the center of the county, and the same distance from the nearest village or city in this state having a passenger depot, may sell such asylum or poor farm at a price not less than the value to be established by the appraisers for state school lands in said county and purchase another tract of land, in the name of the county, more suitably situated, and build, establish and organize thereon an asylum for the poor as hereinbefore provided without first submitting the question to the voters of the county; provided, further, the cost of the land and buildings so purchased and erected must not exceed the amount realized from the sale of the first asylum or poor farm by over five thousand (\$5,000.00) dollars.

- § 2. REPEAL.] All Acts or parts of Acts in conflict with this Act are hereby repealed.
- § 3. EMERGENCY. Whereas, an emergency exists, this Act shall take effect and be in force from and after its passage and approval.

Approved, February 5, 1915.

CHAPTER 115.

[H. B. No. 411—Petterson of Sargent.]

VERIFICATION OF ACCOUNTS AGAINST COUNTIES.

AN ACT to Amend Section 4223 of the Compiled Laws of North Dakota for 1913, Relating to the Verification of Bills, Claims, Accounts, or Demands Against the County, and Providing a Penalty for Falsely Certifying. or Certifying to any False Bill.

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

§ 1. AMENDMENT.] Section 4223 of the Compiled Laws of North Dakota for 1913, relating to the form of verification of bills. claims, accounts, or demands against the county, is hereby amended to read as follows:

§ 4223. ACCOUNTS MUST BE VERIFIED.] The verification required in Section 4223 of the Compiled Laws of North Dakota for 1913, shall be in substantially the following form:

CERTIFICATE.

I do hereby certify that the within bill, claim, account, or demand is just and true; that the money therein charged was actually paid for the purpose therein stated; that the services therein charged were actually rendered and of the value therein charged, and that no part of such bill, claim, account, or demand, has been paid; and that the goods therein charged were actually delivered and were of the value charged.

Sign here....

If signed for a firm or company show authority on this line.

Provided, that any officer, officers, or the Board of County Commissioners, before any of whom any bill, claim, account, or demand against the county shall come for audit and approval, may, if deemed necessary in his or their discretion, require to be furnished a statement made under oath, containing such other information as deemed necessary for the further verification of any bill, claim, account, or demand against the county or any of its undertakings.

Provided, that all blank voucher forms for bills, claims, accounts, or demands against the county or any of its undertakings, shall have printed thereon the following paragraph which prescribes the penalty for certifying to false or dishonest bills, claims, accounts, or demands against the county.

Provided, that any person, firm or company, falsely certifying, or certifying to any false bill, claim, account, or demand, as hereinbefore set forth, shall upon conviction forfeit his right to collect such bill, claim, account, or demand, or any part thereof, and shall further be subject to the penalty prescribed for one found guilty of committing a misdemeanor.

§ 2. EMERGENCY.] Whereas, the law now in effect, which requires that bills, claims, accounts, and demands against the county shall be sworn to, does not prevent the filing of fraudulent or dishonest claims and bills, and which requirements prove expensive and bothersome, and is but the following of an old custom entirely out of keeping with modern and economical methods of handling business, and whereas, the penalty prescribed in this Act, is entirely sufficient to prove effective, and it is further desirable that the annoyance and expense of complying with the old law be discontinued as soon as possible, therefore, this Act shall be in full force and effect from and after its passage and approval.

Approved, March 10, 1915.