

cost of building and making the improvements may be paid out of the county general fund, if such fund shall be deemed sufficient after meeting all other obligations imposed on this fund. Should the county general fund not be sufficient, the Board of County Commissioners of the several counties shall have power to assess a tax over and above the eight mills for general purposes on all of the taxable property within the county not to exceed one-half mill in any one year to raise the necessary money for the purchase or lease of the land, and the erection of the buildings and making the improvements necessary, which fund shall be designated as the "County Fair Fund." In any event such land may be purchased or leased on installments not to exceed five equal annual payments, and the Boards of County Commissioners of the several counties are authorized to issue county warrants for such deferred payment, to be paid out of the County Fair Fund as soon as there shall be sufficient money in such fund to take up such warrant in whole or in part. When such warrants are issued a levy shall be made as hereinbefore provided, sufficient to pay the same in conformity with the terms of such purchase or lease.

Sec. 3. The Board of County Commissioners of the several counties shall have full control and supervision over such county fair and of the operation and management thereof, and shall make rules, regulations and by-laws for the operation and management thereof. They are authorized to employ a secretary for such a period as they may deem necessary, and fix his compensation. They may also employ such other officers and employees as they deem necessary.

Sec. 4. All moneys received from all sources in connection with such county fair shall be deposited with the County Treasurer to the credit of the County Fair Fund, and all moneys paid out for premiums and other purposes shall be paid out of the County Fair Fund in such manner as the board may prescribe.

Approved February 26, 1919.

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## COUNTY SEATS

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### CHAPTER 103.

(H. B. No. 100—Patterson.)

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#### REMOVAL OF COUNTY SEATS.

An Act to Amend and Re-enact Sections 3241 and 3244 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to the Removal of County Seats.

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

Sec. 1. AMENDMENT.) That Section 3241 of the Compiled Laws

of the State of North Dakota for the year 1913, be amended and re-enacted to read as follows:

Sec. 3241. SPECIAL PROVISIONS WHERE NO COURT HOUSE HAS BEEN CONSTRUCTED.) In counties where a court house has not been constructed, or if constructed said court house is of a value not greater than Twenty Thousand Dollars, whenever a majority of the qualified electors of any such county, as shown by the vote cast for Governor at the last general election, shall petition the Board of County Commissioners of any such county, to submit to the voters of such county at the next succeeding primary and general election the question of county seat removal from the place where it is located, the Board of County Commissioners shall at their next regular or adjourned meeting provide for the submitting of the question of removal of the county seat to the electors at the next primary and general election. Such petition shall be filed with the County Auditor and by him presented to the Board of County Commissioners at the first meeting of the said Board of County Commissioners thereafter, and no elector can remove or cause his name to be removed from the said petition after the same is filed with the County Auditor. Any city, town or village that desires to be a candidate for the county seat may have its name placed upon the primary ballot on petition of at least one hundred of the electors of said county, which petition shall be filed with the County Auditor at any time not less than thirty days previous to the said primary election. In case more than two cities, towns or villages are contending for the location of such county seat at such election then the two cities, towns or villages receiving the highest number of votes at the primary election, and those two cities, towns or villages only shall be placed on the official ballot at the first following general election, and the one receiving the highest number of votes cast for the county seat of such county at such general election shall be designated the county seat of such county and the county seat located thereat and the question of county seat removal shall not be again voted on for four years in any county where the county seat is so located, and after the said petition for county seat removal is filed with the County Auditor the Board of County Commissioners in such county shall not construct or contract for the construction of any county buildings, or additions thereto, until after the said election has been had. The value of said court house 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 court house and may hear testimony and they shall find the value thereof and report the same to the County Auditor within twenty days after their appointment, and their appointment and oath shall be filed with such report. 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. The provisions as to notice, ballot, etc., provided by law for election for the removal of county seats shall be, as far as practicable, applicable to the primary and general elections herein provided for.

Sec. 2. AMENDMENT.) That Section 3244 of the Compiled Laws of the State of North Dakota for the year 1913, be amended and re-enacted to read as follows:

Sec. 3244. REPORT OF RESULT.) The Board of County Commissioners shall cause a statement of the result of said election to be deposited and transmitted as provided by Section 3238 of the Compiled Laws of the State of North Dakota for the year 1913.

Sec. 3. All Acts and parts of Acts in so far as they are in conflict with provisions of this Act are hereby repealed.

Approved February 14, 1919.

## COUNTY SUPERINTENDENT

### CHAPTER 104

(H. B. No. 161—Arnold.)

#### COUNTY SUPERINTENDENT OF SCHOOLS.

An Act to Amend and Re-enact Section 1136 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Chapter 208 of the Session Laws for 1917, Relating to the Office of County Superintendents of Schools.

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

Sec. 1. AMENDMENT.) That Section 1136 of the Compiled Laws of the State of North Dakota as amended by Chapter 208 of the Session Laws for 1917 is hereby amended and re-enacted to read as follows:

Sec. 1136. DEPUTIES. HOW APPOINTED. SALARY.) In counties having fifty or more teachers under the supervision of the County Superintendent, the County Superintendent may appoint an office deputy, for whose acts as such he shall be responsible, which deputy shall be entitled to a salary equal to sixty per cent of the County Superintendent's salary; provided, further, that no office deputy shall receive more than One Hundred Dollars per month