

mary statement of the provisions of this Act, and the manner in which such residents may avail themselves of its benefits he shall advise and assist in the organization and management of Dairy Associations as herein described; he shall cooperate with the Commissioner of Immigration by compiling and giving publicity to such data and reports as will encourage the development of the dairy industry within the state. He shall prepare such uniform blanks, as he shall deem necessary for the purpose of this Act and supply same to the County Auditor of any county issuing bonds or warrants.

Approved March 9, 1921.

DEPOSITARIES FOR PUBLIC FUNDS

CHAPTER 56.

(H. B. No. 212.—Hanson of Grand Forks.)

LEGAL DEPOSITARIES.

An Act Designating Legal Depositaries for the Funds of all Public Corporations and providing the procedure and the Regulations under which such Funds shall be Deposited.

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

§ 1. All State and National Banks in the State of North Dakota complying with the provisions of this Act, and the Bank of North Dakota are hereby declared to be legal depositaries of the public funds of the various counties, townships, school districts, cities and villages and the various treasurers of said corporations shall deposit all funds in their custody in such banks.

§ 2. Before any deposit shall be made in any depository by or in behalf of any of the corporations enumerated in Section 1 of this Act, such depository shall furnish a bond payable to the public corporation making such deposit, in an amount that shall at least equal the largest deposit that may at any time be in such depository; said bond shall be in conformity to a form prescribed by the Attorney General and the amount and sufficiency by the board or governing body of such corporation. If the board fails or refuses to approve any such bonds the same may be presented to the Judge of the District Court upon three days' notice to the clerk or auditor of the board of the corporation to which such bond was submitted and the judge shall

forthwith proceed to hear and determine the amount and sufficiency of such bond and may approve or disapprove the same as the facts warrant. If he approves such bond the said bank shall be declared a depository of the funds of such corporation. The sureties on all bonds required by public corporations according to the provisions of this law shall justify as required by law in arrest and bail proceedings. Provided, however, that in lieu of such personal bond the board or governing body of the corporation involved may require such bank designated as depository to file a surety bond in a sum equal to the amounts of funds such bank may receive according to the provisions of this act. The bond when approved, shall be deposited with the county auditor. Such bond shall be a continuing bond and shall continue binding, but in no case involving the deposit of funds of public corporations shall such bond be continued without a renewal thereof for a longer period than four years. This section shall not apply to public corporations as enumerated in Section 1 of this Act where the amount in the treasury of such corporations does not exceed the sum of Five Hundred Dollars. The treasurer of public corporations having on hand less than Five Hundred Dollars and therefore not within the provisions of this Section, shall deposit all the funds belonging to such corporation in some bank under such conditions and restrictions as shall seem adequate to protect the public interest.

§ 3. When two or more banks in the same county or the county in which such corporation is located, proposing to become depositaries offer the same rate of interest it shall be the duty of the treasurer to select depositaries as offer ample security for such deposit. In estimating the value of the security offered by any proposed depository the capital, surplus, and general credit of the bank shall be taken into consideration, as well as the bonds proposed to be given. Provided, however, that if the rate of interest offered by the Bank of North Dakota is equal to or greater than that offered by the state or national banks within said county, the treasurer of such corporation may deposit so much of the public funds of the said corporation in the Bank of North Dakota as he shall deem proper without regard to the amount on deposit in state or national banks.

§ 4. To the extent that public funds are deposited as herein provided the legal custodian thereof and the sureties on his bonds, shall be exempt from all liability thereon by reason of loss of any such funds from failure, or other act of any such depository.

§ 5. Each depository shall furnish to the county treasurer on the first day of each month an itemized statement of the account of such county and of each township, school district, city, town or village in such county with such depository duly verified by the proper officer of said bank, which statement shall be filed and carefully preserved in the office of the county treasurer. Such statement shall show all time

deposits and demand deposits, the rate of interest paid and by whom deposited.

§ 6. It shall be the duty of the county treasurer in each county to compile the reports filed by all depositaries in which public funds of said county are deposited and therefrom make a report showing the amount deposited in each of such depositaries, the rate of interest paid by each such depository on time deposits and demand deposits separately and a statement of any offers made to him for the deposit of public funds by any bank. He shall also compile the reports of all depositaries who have deposits of funds of any of the public corporations within such county and therefrom make a report showing the amount of school district, township, city and village deposits in each such depository, the rate of interest paid on time deposits and demand deposits. Before the last day of February, May, August and November of each year he shall publish a statement in the official paper of his county, setting forth the facts as above provided as of the first day of each of these months.

§ 7. Any treasurer of any public corporation in this state who shall deposit public funds in any state or national bank in excess of the bond furnished by such bank, or shall deposit in any state or national bank funds in excess of \$500.00 without a bond, and any treasurer of a public corporation or the officials of any state or national bank who fails to make the reports required herein, and any county treasurer who fails to publish the statements as required by this act, shall be guilty of a misdemeanor.

§ 8. Emergency: This is hereby declared to be an emergency measure, and shall be in full force upon its passage and approval.

Approved March 8, 1921.

DIVORCE

CHAPTER 57.

(S. B. No. 24.—Church.)

DIVORCE.

An Act to Amend and Re-enact Section 4400 of the Compiled Laws of North Dakota, 1913, Relating to Affirmative Proof Required in Divorce Actions.

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

§ 1. AMENDMENT.] Section 4400 of the Compiled Laws of North Dakota is hereby amended and re-enacted so as to read as follows: