

§ 4. TRUSTEES. BOARD OF TO MAKE REPORT.] The board of trustees of public property upon the completion of said line with its necessary equipments, shall submit an itemized report together with usual vouchers, showing:

1. Kind of material, from whom purchased, and what price.
2. How many days labor done and by whom.
3. If work done by convict labor, so state, in such case mention person in charge only.
4. Amount paid for right-of-way, if any.

The state auditor finding such report correct, shall draw his warrant for such amount as he finds to be due, against such appropriation, and upon approval thereof by the governor, the state treasurer is hereby directed to pay such warrant from the general fund of the state.

§ 5. REPEAL.] All acts or parts of acts in conflict with this act are hereby repealed.

§ 6. EMERGENCY.] Whereas, an emergency exists, in that there is now no law providing for the construction of such a line, therefore this act shall take effect and be in force immediately upon its passage and approval.

Approved March 12, 1901.

ELECTIONS.

CHAPTER 81.

[S. B. 180.]

ELECTIONS.

AN ACT to Amend Section 527 of the Revised Codes of 1899, Relating to Abstract of Votes. Certificate of Election. Publication of Returns.

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

§ 1. AMENDMENT.] Section 527 is hereby amended to read as follows:

§ 527. ABSTRACT OF VOTES. CERTIFICATE OF ELECTION. PUBLICATION OF RETURNS.] On the fifteenth day after the close of any election, or as soon as the returns are received, the county auditor shall call to his assistance a majority of the county commissioners of the county, or the county treasurer, county judge and one county commissioner, and none of the persons so called shall be a candidate for office, unless there is not sufficient of such officers who are not candidates, and shall

proceed to open such returns and make abstracts of votes in the manner following: From the certified statements prepared by the different inspectors of election in the various precincts; the abstract of votes for member of congress, governor, state auditor, commissioner of insurance, commissioner of agriculture and labor, state treasurer, secretary of state, attorney general, commissioners of railroads, superintendent of public instruction and lieutenant governor shall be on one sheet; the abstract of votes for members of the legislative assembly shall be on one sheet; the abstract of votes for county and precinct officers shall be on one sheet; and it shall be the duty of the county auditor immediately to make out a certificate of election to each of the persons having the highest number of votes for members of the legislative assembly, county and precinct officers respectively, and to deliver such certificate to the person entitled thereto on his making application to the county auditor therefor; provided, that when a tie shall exist between two or more persons for the senate and (or) house or representatives, the county auditor shall give notice to the sheriff of the county, who shall immediately advertise another election, giving at least ten days' notice. It shall be the duty of the county auditor of each county, on receipt of the returns of any election, to make out his certificate, stating therein the compensation to which the judges and clerks of election may be entitled for their services, and lay the same before the board of county commissioners at their next session, and the said board shall order the compensation aforesaid to be paid out of the county treasury. And immediately after canvassing the returns and making the abstract of votes as provided in this section, the county auditor shall make a certified copy of each abstract and forward it to the secretary of state, and also cause to be published in the official newspapers of the county, in tabular form, the vote by precincts for each officer and proposition voted for at said election; such publication to be paid for at a rate not exceeding the rate paid for publishing county commissioners' proceedings. If the county auditor is a candidate for office he shall take no part in the canvass, but shall act as clerk of such board of canvassers, and the two officers called to the assistance of the county auditor to make such canvass, shall call to their assistance a justice of the peace, and it shall thereupon be their duty at once to attend and canvass such returns as provided by law.

Approved March 12, 1901.