

§ 13. MALFEASANCE.] Any officer violating any of the provisions of this act shall be deemed guilty of malfeasance in office.

§ 14. CONFLICTING ACTS REPEALED.] All acts and parts of acts in conflict with the provisions of this act, and especially Chapter 49, of the laws of the State of North Dakota for the year 1893, are hereby repealed. But in those counties in which depositories of the county funds have been designated as prescribed in said act, and in substantial conformity to the provisions of this act, such designation shall be and remain valid and have effect, subject to all the provisions of this act, except that no further designation shall be necessary in such county until January 1897.

§ 15. EMERGENCY.] *Whereas*, an emergency exists in this, that there is now no adequate provisions made by law for the safe keeping of county funds, *Therefore*, this act shall take effect and be in force from and after its passage and approval.

Approved, March 2, 1895.

## COUNTY SUPERINTENDENT.

### CHAPTER 46.

[S. B. No. 71.]

#### DUTIES OF SUPERINTENDENT.

AN ACT Relating to the Duties of County Superintendent of Schools.

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

§ 1. SHALL NOT ENGAGE IN TEACHING.] No county superintendent of schools, except as hereinafter provided, shall engage in teaching during the term for which he was elected, nor shall any person under contract to teach be qualified to hold the office of county superintendent of schools.

§ 2. SHALL NOT ABSENT HIMSELF FROM COUNTY.] No county superintendent of schools shall engage in any profession or occupation, nor shall he absent himself from the county or district for which he is elected, to engage in any occupation, profession or pursuit during the term for which he is elected, for such time and in such manner as to interfere with the proper discharge of his duties as county superintendent of schools.

§ 3. SUBJECT TO REMOVAL.] Any county superintendent of schools who neglects or violates any of the provisions of sections one and two of this act shall be subject to removal from office.

§ 4. NOT APPLICABLE IN EVERY COUNTY.] None of the provisions of sections one and two of this act shall be applicable to counties in which the salary of county superintendents of schools is less than twelve hundred dollars per annum.

§ 5 TAKE EFFECT.] This act shall take effect and be in operation from and after October 1, 1896.

Approved March 14, 1895.

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## COUNTY TREASURERS.

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### CHAPTER 47.

[H. B. No. 108.]

#### COUNTY TREASURERS TO REPORT TO TOWNSHIP CLERKS.

AN ACT Requiring County Treasurers to Report to Township Clerks Amounts of Township Funds on Hand, and Amounts Drawn by Township Treasurers, and Requiring Township Clerks to Keep Accounts of Township Funds.

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

§ 1. REPORT TO TOWNSHIP CLERKS—WHEN.] The county treasurer of each county shall, between the fifth and twentieth days of February of each year, notify by mail the township clerk of every organized township in his county the amount of money on hand in the county treasury belonging to the said township on the fifth of February, the amount belonging to each fund being stated separately. Likewise, the said county treasurer shall, between the fifteenth day of November and the first day of December of each year, mail a like notice to each township clerk stating the amount of money in the county treasury belonging to the said township on the fifteenth day of November, the amount in each fund being stated separately.

§ 2. STATEMENT OF AMOUNT PAID.] Whenever the county treasurer pays or remits any township funds to a township treasurer he shall on the same day mail to the township clerk of the same township a statement of the amount so paid or remitted, stating the amount belonging to each fund separately.

§ 3. DUTY OF TOWNSHIP CLERK.] The township clerk shall make a record of the statements thus received from the county treasurer, and shall keep an account of the township funds in the same manner as is required of the township treasurer; and at the annual town meeting in March of each year the books of each officer shall be examined, compared and balanced.

Approved, March 12, 1895.