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## COUNTY COMMISSIONERS

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### CHAPTER 66.

[H. B. No. 49—Martin of Morton]

#### VACANCIES IN BOARDS OF COUNTY COMMISSIONERS.

AN ACT to Amend Section 429 of Chapter 6 of the Political Code of 1905, Relating to Vacancies on the Board of County Commissioners.

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

§ 1. AMENDMENT.] Section 429 of chapter 6 of the political code of 1905 is amended and re-enacted to read as follows:

§ 429. VACANCIES IN BOARD OF COUNTY COMMISSIONERS, HOW FILLED.] When a vacancy occurs in the board of county commissioners, it shall be the duty of the remaining members of the board, with the county judge and auditor, immediately to appoint some suitable person to fill such vacancy from the district in which such vacancy occurred. In case a majority of such officers fail to agree upon a person to fill such vacancy the county treasurer shall be called in and act as an additional member of such board, to fill such vacancy. The appointee shall hold office until his successor is elected at the next general election and qualified.

§ 2. EMERGENCY.] Whereas, under existing laws it may sometimes happen that all or a majority of the members of a board of county commissioners are not chosen by the direct vote of the electors, therefore an emergency exists and this act shall take effect and be in force from and after its approval.

Approved March 13, 1907.

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### CHAPTER 67.

[H. B. No. 214—Moore]

#### COMMISSIONERS MAY SELL COUNTY PROPERTY.

AN ACT Empowering Boards of County Commissioners to Dispose of Property Which any County May Have Acquired Through Purchase, Forfeiture or Operation of Law.

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

§ 1. COMMISSIONERS AUTHORIZED TO SELL. PUBLISH NOTICE.] The county commissioners of any county in this state shall have

the right to dispose of any property, either real or personal, which the county may have acquired, either through purchase, forfeiture or operation of law. Upon resolution of any board of county commissioners authorizing the same, the county auditor shall cause to be published a notice in some legal newspaper published in such county, once each week for three consecutive weeks, containing a description of the property to be sold, and designating the day and hour when such sale shall be held. Such sale shall be held at the office of the county auditor and conducted by him, and the property so advertised shall be sold to the highest responsible bidder, if such bid is deemed sufficient by a majority of the board authorizing the sale, and such bids may be either auction or sealed bids as may be ordered by the board and specified in the notice; provided, however, that when the property to be disposed of is estimated by the board to be of a value below \$100 such sale may be at private sale upon proper resolution of the board of county commissioners. The proceeds of such sale shall be paid into the county treasury and any amounts which may be due the state or any city, township, incorporated village or school district, from taxes which had been previously levied against said property, or their just proportion thereof, shall be apportioned and placed to the credit of the state, city, township, incorporated village or school corporation entitled thereto, and the remainder shall go to the general funds of the county.

§ 2. EMERGENCY.] As an emergency exists in that there is no law on our statute books covering the provisions of this act, it shall take effect and be in force from and after its passage and approval.

Approved March 12, 1907.

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## COUNTY COURTS

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### CHAPTER 68.

[S. B. No. 308—Senate Committee on Judiciary]

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#### PRACTICE IN COUNTY COURTS.

AN ACT to Amend Sections 8289, 8292, 8295, 8304, 8311, 8316 and 8318 of the Revised Codes of North Dakota for 1905, Relating to the Practice in the County Courts.

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

§ 1. AMENDMENT.] Section 8289 of the revised codes of North Dakota for 1905, the same being section one of chapter 43 of the probate code of 1895, is hereby amended to read as follows: