
MILITIA

CHAPTER 174.

[S. B. No. 87—Hanna]

AID TO NATIONAL GUARD.

AN ACT Making an Appropriation Towards Paying Deficiency or Debts on Armories Already Constructed, or Towards the Construction of Armories for the Various Military Companies of the State of North Dakota, and for the Creating of a Board of Armory Supervisors and Defining Its Duties, for the Transfer of Armories Upon the Mustering Out of any Military Organization Enumerated, and Defining the Duties of the State Treasurer in Carrying Out the Provisions of this Act.

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

§ 1. BOARD OF ARMORY SUPERVISORS CREATED. DUTIES.] The governor, adjutant general and colonel commanding the regiment are hereby constituted a board of armory supervisors, whose duty it shall be to approve the selection of all armory sites and the purchase of buildings thereon; to approve the plans and specifications for the erection of all armories, and to audit and approve all bills, claims and accounts in connection with the construction or purchase of all armories before such bills, claims and accounts shall be paid, and to perform such other duties as the provisions of this act require.

§ 2. APPROPRIATION.] To every company, battery or regimental band of the North Dakota national guard who shall have first deposited with the state treasurer the sum of two thousand dollars as an evidence of good faith, and shall have conveyed to the state of North Dakota by a good and sufficient deed of warranty the title to a site for an armory, which site shall have first been approved by the board of armory supervisors, or shall have conveyed to the state an armory site with armory buildings thereon, such buildings to be of the value of not less than seven thousand dollars, and to be first approved by the board of armory supervisors, there is hereby appropriated the sum of five thousand dollars; provided, that only one such appropriation shall be made for armory purposes, in any one city or town; and provided, further, that no more than thirteen state military organizations shall receive the benefit of this act; and provided, further, that no more than three state military organizations shall receive appropriations in the amount specified in the year A. D. 1908, and two in each year

thereafter until the thirteen state military organizations shall each have received an appropriation of five thousand dollars; and provided, further, that the board of armory supervisors shall designate which state military organizations shall receive aid in any one year and in determining which shall receive aid first, they shall take into consideration the proficiency of the military organization asking for aid and its needs; and provided, further, there is hereby appropriated out of the state treasury in the year A. D. 1908 the sum of fifteen thousand dollars and the sum of ten thousand dollars annually thereafter for five years.

§ 3. DUTY OF STATE TREASURER.] The state treasurer shall keep a separate account with each company, battery or regimental band that shall avail itself of the provisions of this act, crediting the same with the two thousand dollars deposited by the company, battery or regimental band with the state treasurer, together with the appropriation made under the provisions of this act, and all bills for the construction or purchase of armories, or the paying of debts or mortgages against armories shall, after being approved by the board of armory supervisors and the state board of auditors, be paid out of the said account or fund upon the warrant of the state auditor.

§ 4. TRANSFER OF ARMORIES WHEN COMPANY, BATTERY OR REGIMENTAL BAND IS MUSTERED OUT OF SERVICE.] Whenever any company, battery or regimental band which has availed itself of the provisions of this act and has received the appropriation provided herein, shall be mustered out of the service of the state and it shall appear that there is no probability of a new company, battery or regimental band being organized in the city or town in which the armory is located, then and in that case the board of armory supervisors shall have the authority, and are hereby empowered, to transfer the said property to the municipality in which the same is located for public purposes upon the repayment to the state of the said appropriation provided in this act, without interest.

§ 5. PROVIDING FOR MORTGAGING ARMORIES TO THE STATE WHEN OWNED BY ANY COMPANY, BATTERY OR REGIMENTAL BAND.] Whenever any such company, battery or regimental band shall own any site with armory buildings thereon of the value of ten thousand dollars, exclusive of the value of the land, and such buildings and site shall have been approved by the board of armory supervisors as sufficient and desirable for armory purposes, then, such company, battery or regimental band, may, with the approval of the board of armory supervisors, obtain the benefits of the appropriation hereinbefore provided by executing to the state of North Dakota a mortgage on such property for the sum of five thousand dollars, payable on demand, and during the life of said mortgage said building and site shall be under the control and supervision of such company, battery or regimental band.

§ 6. REPEAL.] Sections 1789, 1790, 1791, 1792 and 1793 of the revised codes of 1905 are hereby repealed.

Approved March 4, 1907.