

in addition thereto two per cent on the amount so secured in excess of two thousand dollars; provided, that none of the above fees shall be allowed unless the foreclosure proceedings shall be conducted under the supervision of an attorney duly authorized to practice in the courts of this state; provided, however, that before any attorney's fee provided for herein shall be allowed, paid, received, claimed or charged against the property or allowed or taxed in said action or proceedings the attorney or attorneys bringing the action or proceeding above mentioned shall at or prior to the time of the sale of the property or prior to the time of entering judgment in said action or proceeding, file with the register of deeds of the county in which said action is commenced, an affidavit to the effect that such attorney or attorneys have been in good faith employed to bring said action or proceedings to foreclose said mortgage or other lien and that the full amount of the fees provided by law inures solely to his or their benefit, and that no agreement or understanding directly or indirectly has been made with any person for any division of said attorney's fees, that no part thereof is or has been agreed to be paid to the party foreclosing said mortgage or other lien and that such attorney or attorneys is or are actual bona fide residents of the state of North Dakota.

Approved March 19, 1907.

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## OFFICIAL BONDS

### CHAPTER 178.

[S. B. No. 90—Kraabel]

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#### STATE TREASURER'S BOND.

AN ACT to Amend Section 122 of the Revised Codes of 1905 of the State of North Dakota, Relating to State Treasurer's Bond.

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

§ 1. AMENDMENT.] Section 122 of the revised codes of 1905 of the state of North Dakota is hereby amended to read as follows:

§ 122. OFFICIAL BOND.] The state treasurer must execute an official bond in the sum of not less than five hundred thousand dollars. Such bond shall be executed by the treasurer as principal and by sureties who must justify in the aggregate in a sum equal to twice the amount of the bond. The sureties may consist of freeholders of the state of North Dakota or of corporations authorized to transact the business of fidelity insurance within the state of North Dakota, or may consist in part of such freeholders and

in part of such corporations and may consist of one bond for said total amount or of more than one bond, each for a lesser amount but aggregating not less than said total amount; and in the case of more than one bond being used, and in case of loss or liability, the liability of each separate bond shall be held to bear the same proportion to the total loss or liability as the amount of each separate bond shall bear to the total aggregate amount of all such bonds. Such bond or bonds shall be approved by the attorney general as to form and by the governor as to the sufficiency of the sureties. In case any such bond is approved, having as sureties one or more corporations as herein provided, then the premium for such bond or bonds shall be audited and paid out of the general fund of the state.

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

Approved March 19, 1907.

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## PARKS

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### CHAPTER 179.

[H. B. No. 315—J. A. Sorley]

#### CREATING PARK DISTRICTS.

AN ACT Creating Park Districts and for the Government Thereof, Creating a Board of Park Commissioners, Conferring Power and Authority Upon Such Board and District, and Providing Rules for the Government Thereof.

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

§ 1. PROCEDURE.] Any incorporated city of the state of North Dakota may by a two-thirds vote of its council by yeas and nays at a regular meeting thereof, take advantage of the provisions of this act.

§ 2. PARK DISTRICTS, HOW CREATED.] Any city desiring to take advantage of this act shall do so by ordinance expressing its intent and desire so to do, whereupon the territory embraced in such city shall be deemed and it is hereby declared to be a park district of the state of North Dakota.

§ 3. HOW DESIGNATED. POWERS OF.] Each park district of the state shall be known as "park district of the city of.....," and as such shall have a seal and perpetual succession, with power