

§ 5. EMERGENCY.] Whereas, an emergency exists in that a large portion of the work in connection with the carrying out of the provisions of this act is now under way and cannot be interrupted or delayed without loss to the state, an emergency is declared to exist and this act shall take effect upon its passage and approval.

Approved March 12, 1909.

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## STATE OFFICERS

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### CHAPTER 215.

[H. B. No. 294—Wolbert]

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#### STATE EXAMINER AND DEPUTIES.

AN ACT to Amend Section 150 of the Revised Codes of the State of North Dakota of 1905, Relating to the Salary of the State Examiner and to the Appointment, Salaries and Qualifications of Deputies of the State Examiner.

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

§ 1. AMENDMENT.] Section 150 of the revised codes of the state of North Dakota of 1905 is hereby amended to read as follows:

§ 150. SALARY, DEPUTIES AND PENALTY FOR MALFEASANCE.] The only salary of the state examiner for all services rendered in any capacity whatever, shall be three thousand dollars per year, and his actual and necessary expense incurred in the discharge of his official duties, to be audited and paid in the same manner as the salary and expense of the state officers are paid. He is authorized, with the approval of the governor, to appoint deputies, five, who shall receive an annual salary of eighteen hundred dollars, and one who shall receive an annual salary of fifteen hundred dollars and their actual and necessary traveling expenses, to be audited and paid as hereinbefore stated. The deputy state examiners shall be skilled accountants. If said examiner or his deputies, or either of them, shall directly or indirectly receive any compensation or pay for his services, or extra services, or neglect of services, other than is provided in this article, he shall be deemed guilty of felony.

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 All acts or parts of acts in conflict with the provisions of this act are hereby repealed.

§ 3. EMERGENCY.] This act shall take effect and be in force from and after its passage and approval.

Approved March 20, 1909.

## CHAPTER 216.

[H. B. No. 110—Wolbert]

## SALARY OF STATE OFFICERS.

AN ACT Requiring State Officials to Reside at the Capital and to Provide Adequate Compensation.

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

§ 1. PERSONAL EXPENSES OF THE GOVERNOR.] The governor shall receive the sum of one thousand five hundred dollars per annum for the purpose of defraying his personal expenses, such amount to be payable monthly without the filing of any itemized statement; provided, that the provisions of this section shall not apply to governors hereafter elected.

§ 2. PERSONAL EXPENSES OF OTHER STATE OFFICERS.] The secretary of state, state auditor, state treasurer, attorney general, superintendent of public instruction, commissioner of agriculture and labor, and the commissioner of insurance shall each receive the sum of seven hundred and fifty dollars per annum for the purpose of defraying the personal expenses of such officers, such amount to be payable monthly, without the filing of any itemized statement; provided, that none of the officers named in paragraph one, of section two, shall receive such expense money unless they reside at the capital of the state. The members of the board of railroad commissioners shall receive the sum of four hundred dollars per annum each for the purpose of defraying his personal expenses, such amount to be payable monthly without the filing of any itemized statement.

§ 3. NO FUTURE APPLICATION.] The provisions of sections one and two shall not apply to any of the state officers herein mentioned who may hereafter be elected.

§ 4. SALARY.] The governor shall receive an annual salary of five thousand dollars per annum. The attorney general shall receive an annual salary of three thousand six hundred dollars and he shall reside at the capital of the state. The secretary of state, state auditor, state treasurer, superintendent of public instruction, commissioner of agriculture and labor and commissioner of insurance shall each receive an annual salary of three thousand dollars, and shall reside at the capital of the state. The commissioners of railroads shall receive an annual salary of two thousand dollars per annum.

§ 5. APPROPRIATION.] There is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, a sum of money sufficient to pay the personal expenses contemplated in this act.

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

§ 7. EMERGENCY.] Whereas, an emergency exists in that there is no provision of law providing for the payment of the necessary personal expenses of the state officers herein mentioned, therefore this act shall take effect and be in force from and after its passage and approval.

Approved March 8, 1909.

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CHAPTER 217.

[H. B. No. 71—Aasheim]

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PUBLISHING STATE TREASURER'S REPORT.

AN ACT to Provide for a Greater Publicity of the Finances of the State.  
*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

§ 1. REPORT OF TREASURER.] It shall be the duty of the state treasurer on or before the tenth day of January, April, July and October of each year to make a report in writing, under oath to the governor showing the total amount of all moneys in his hands or under his control on the last day of the preceding month, and showing separately the amount or portion thereof on deposit in each of the several state depositories; also the amount of the bond of each such depository and the amount on hand in the vaults of the state treasurer. Under the latter head he must specify the amount on hand in currency, and separately and by items, the amount in checks, drafts, certificates or other cash items. Such report must be verified by the state auditor, and the state treasurer must cause the same to be published once in a daily paper, published at the seat of government, on or before the fifteenth day of each of said months, and must forthwith mail a copy thereof to each qualified state depository. Proof of the publishing and mailing of such report must be made by affidavit of some person having personal knowledge thereof, and such report, with such proof then filed in the office of the governor.

§ 2. EXPENSE PROVIDED FOR.] The expense of such publication shall not exceed the sum of thirty cents per square of twelve lines of solid brier type or its equivalent, and such expense shall be audited and paid out of the general fund.

§ 3. PENALTY FOR NON-COMPLIANCE.] Failure or refusal on the part of the state treasurer to comply with the provisions of this act, shall constitute cause for his removal from office.

§ 4. EMERGENCY.] Whereas, grave questions have arisen as to the equitable distribution of state funds in the various state depositories, and the exact conditions should be made public with the least possible delay, therefore this act shall take effect immediately upon its passage and approval.

Approved February 15, 1909.

## CHAPTER 218.

[H. B. No. 96—Thompson]

## STATE ENGINEER.

AN ACT Authorizing the State Engineer, on the Approval of the Governor, to Receive and Receipt to the Secretary of State for all the Field Notes, Maps, Records and Other Papers Appertaining to Land Titles Within the State of North Dakota, and for Such Other Property and Records as the Government May Direct to be Turned Over to the State When All of the Public Surveys in the State of North Dakota Shall Have Been Completed.

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

§ 1. CUSTODIAN GOVERNMENT PLATS.] The state engineer, with the approval of the governor, is hereby authorized to receive and receipt to the secretary of state for all field notes, maps, records and other papers appertaining to land titles within the state of North Dakota, and for such other property and records as were turned over to the secretary of state by the government on July 1, 1908, and the said state engineer shall be custodian of all the above named property and for all other plats, field notes and records as may hereafter be turned over to the state by the government.

§ 2. CARE AND CUSTODY.] Suitable rooms shall be provided in the capitol building containing vaults for fireproof protection and the safekeeping of such records, and free access to any such field notes, maps, records, and other papers for the purpose of taking extracts therefrom or making copies thereof without charge of any kind, shall be allowed to all officers or employes of the United States during office hours.

§ 3. FURNISHES COPIES.] It shall be the duty of the state engineer to furnish on application exemplified copies of all maps, field notes and records upon the payment to him of such fees for the copying and certifying such field notes, maps and records, as may be prescribed by the governor, secretary of state and attorney general. All fees paid to the state engineer for copies of plats, field notes and records shall be paid into the state treasury and placed to the credit of the fund for the promotion of irrigation.

§ 4. REPEAL.] All acts and parts of acts in conflict herewith are hereby repealed.

§ 5. EMERGENCY.] Whereas, an emergency exists, this act shall take effect on and after the date of its passage and approval.

Approved March 15, 1909.

## CHAPTER 219.

[H. B. No. 229—Traynor]

## ASSISTANT ATTORNEYS GENERAL.

AN ACT to Amend Section 126 of the Revised Codes of 1905, Providing for the Appointment of Assistant Attorneys General, and Fixing their Salary, and Appropriating Money to Pay the Same.

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

§ 1. AMENDMENT.] Section 126 of the revised codes of North Dakota for 1905 is hereby amended and re-enacted to read as follows:

§ 126. ASSISTANT ATTORNEYS GENERAL, HOW APPOINTED.] The attorney general may appoint two assistant attorneys general whose appointment shall be in writing and filed in the office of the secretary of state. Such assistant attorneys general shall have the same powers and authority as the attorney general. They shall before entering on the duties of their office take and subscribe upon their appointment the official oath prescribed by law.

§ 2. SALARY OF ASSISTANT ATTORNEYS GENERAL.] The annual salary of the assistant attorneys general shall be two thousand five hundred dollars each, payable monthly on the warrant of the state treasurer.

§ 3. APPROPRIATION.] There is hereby appropriated out of any money in the state treasury, not otherwise appropriated, the sum of five thousand dollars per annum to pay the salaries of such assistant attorneys general.

Approved March 16, 1909.

## TITLES

## CHAPTER 220.

[H. B. No. 65—White]

## CHAIN OF TITLE.

AN ACT Relating to Evidence Regarding the Chain of Title to Real Estate.

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

§ 1. VARIATION IN SPELLING, ETC. AFFIDAVIT TO CURE.] Whenever, in the record of title to real estate, in the office of the register