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## COUNTY COURT

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### CHAPTER 100.

[H. B. No. 27—Church.]

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#### CLERK OF DISTRICT COURT EX-OFFICIO CLERK OF COUNTY COURT.

An Act to Amend and Re-enact Section 8970 of the Compiled Laws of North Dakota for the year 1913, Relating to Clerk of County Court.

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

§ 1. That Section 8970 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

§ 8970. CLERK OF DISTRICT COURT EX-OFFICIO CLERK OF COUNTY COURT.] In all counties having county courts with increased jurisdiction the clerk of the district court shall be the clerk of the county court in the same county. Such clerks of the district court and their deputies shall perform all the duties of clerks of such courts, in all actions and proceedings commended in the county courts by virtue of its increased jurisdiction, in the same manner as they are required to perform the duties of clerks of the district court, so far as the provisions of the law relating to that subject are applicable, and may demand, receive and retain the fees provided for clerks of district courts, except as herein otherwise provided, and the fees so paid shall be retained by the clerk of the district court as and for compensation for the services rendered by him as the clerk of such county court; provided, however, that they shall be entitled to receive no per diem for attendance on court, nor salary from the county on account of services performed in said court. The judge of a county court having increased jurisdiction in counties having a population of not less than twenty-five thousand, shall have power to appoint a clerk of such court, whose duties and powers shall be as nearly as may be the same as those of the clerks of the district courts. Such clerk shall hold his office during the pleasure of the judge appointing him; and in counties having a population of less than twenty-eight thousand, the salary of such clerk shall be twelve hundred dollars per year, and in counties having a population of more than twenty-eight thousand such clerk shall receive a salary of fifteen hundred dollars per year, such salary to be paid by the county monthly in the same manner as the salaries of other county officers are paid. He shall charge and receive for acts performed by him the same fees and commissions as are now allowed by law to clerks of district courts,

except as modified by the provisions of this act. He shall keep a true account of all commissions and fees received by him in a book of record, to be kept for that purpose, and on the first day of each calendar month, shall pay all such fees and commissions to the treasurer of the county.

Approved February 20, 1917.

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## COUNTY SEAT

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### CHAPTER 101.

[S. B. No. 92—Cahill.]

#### LOCATION OF COUNTY SEATS.

An Act to Amend and Re-enact Section 3208 of the Compiled Laws of North Dakota for the year 1913, Relating to the Location of County Seats.

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

§ 1. AMENDMENT.] That Section 3208 of the Compiled Laws of North Dakota for the year 1913 be amended and re-enacted so as to read as follows:

§ 3208. COUNTY SEAT, HOW LOCATED.] The county commissioners of such county shall have power temporarily to fix the county seat and such location shall remain the county seat until the first general election thereafter, when the qualified voters of such county are empowered to vote for and select the place of the county seat by ballot as provided by law. Provided, however, that in counties where the county seat has not been permanently located, the question of location of such county seat may be voted on at any primary election upon a petition or petitions, each to be signed by at least ten per cent of the qualified voters of such county, voting for the office of Secretary of State at the last general election, stating the date of signing and the residence of each qualified voter, designating therein the proposed county seat, which said petition shall be filed with the County Auditor at least thirty days prior to the holding of any primary election, and if more than two towns are contending for the location of the county seat at such election, then the two towns receiving the highest vote at such primary election, and these two towns only, shall be placed on the official ballot at the first following general election, and the town then receiving the highest number of votes cast for the county seat location at such general election, shall be designated the county seat of such county, and the county seat located thereat, and the question of county seat removal must not again be voted on for four years in any county where the county seat is so located.

Approved March 9, 1917.