

provisions of this Act without further procedure; provided further, that no payments shall be made under the provisions of this Act, save for the time spent in the service, and provided further, that the compensation paid under this Act shall be used for the purposes mentioned herein, within the State of North Dakota only, unless the said Adjutant General, under the direction and consent of the Industrial Commission, shall in individual cases direct otherwise; provided further that when it shall be made to appear to the Adjutant General that any such returned soldier shall have deserted his wife or minor children and when no divorce shall have been granted, then the amount to which such returned soldier shall be entitled under the provisions of this Act may be paid to such wife or minor children.

§ 3. EMERGENCY.] This Act is hereby declared an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved 7:15 P. M. December 11, 1919.

## STATE SHERIFF

### CHAPTER 56.

[H. B. No. 54—Alberts.]

### STATE SHERIFF.

An Act to Provide for the Better Enforcement of the Laws of This State, Constituting the County Sheriffs of This State a State Constabulary and Defining Their Duties; Creating the Office of State Sheriff and Defining His Duties; Making an Appropriation Therefor and Repealing All Acts and Parts of Acts in Conflict Herewith.

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

§ 1. The several Sheriffs and Deputy Sheriffs of this state, in addition to their present duties, are hereby constituted a State Constabulary for the purpose of detecting crime; apprehending criminals; suppressing riots; preventing affrays and preserving and enforcing law and order throughout the state.

§ 2. The head of the State Constabulary shall be the State Sheriff who shall be appointed by the Governor and serve during the pleasure of the Governor.

§ 3. He shall receive a salary of Three Thousand Dollars per annum and his actual and necessary traveling expenses when engaged in the discharge of his duty, and furnish bond in the sum of Ten Thousand Dollars for the faithful performance of his duties.

§ 4. The State Sheriff shall have the same power and authority as other sheriffs and, in addition, it shall be his duty, under the direction of the Governor: To enforce all the criminal laws of

this State; to cause criminal complaints to be filed against persons violating the same; to assist in detecting and investigating crime; producing evidence thereof; arresting and prosecuting persons charged therewith; to suppress riots; prevent affrays and preserve law and order throughout the state; to supervise the members of the State Constabulary in the discharge of their official duties; to employ, with the consent and approval of the Governor, special agents to carry out the duties of his office and the provisions of this Act, provided that not more than three persons shall be employed as special agents at any one time; to call, with the approval of the Governor, into the service of the state any members of the State Constabulary at any time that it may be deemed necessary to preserve law and order in any part of the state or to apprehend any person who has violated any laws of this state; to make suitable rules and regulations for the State Constabulary; to order and direct any sheriff to render any special or particular service which he may deem necessary for the purpose of carrying out the provisions of this Act: to co-operate with and assist the Governor in the performance of his official duty for the faithful execution of all laws.

§ 5. It shall be the duty of each and every member of the State Constabulary to comply with all orders of the State Sheriff and to furnish the State Sheriff from time to time such information regarding conditions in their several counties as may be required, and to aid and assist the State Sheriff in carrying out the provisions of this Act.

§ 6. The members of the State Constabulary and the special agents hereinbefore provided for shall receive the sum of Five Dollars per day for each day actually and necessarily employed, together with their actual and necessary traveling expenses while acting under the direction of the State Sheriff. All items for salary, expenses and compensation herein authorized shall be paid upon vouchers therefor approved by the Governor.

§ 7. Any person or peace officer who shall wilfully fail or refuse to obey the call for assistance of the State Sheriff or any of his special agents or to perform any other duty herein imposed upon him shall forfeit his office.

§ 8. All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed.

§ 9. There is hereby appropriated the sum of Ten Thousand Dollars out of the State Treasury for the purpose of carrying out the provisions of this Act.

Approved 8:10 p. m. December 11, 1919.