

§ 4. APPLICATION.] This act shall not apply to any corporation the charter of which has been declared forfeited by the final judgment of any court of competent jurisdiction in this state, nor to any corporation as to which there is any action or proceeding pending in any of the courts in this state for the forfeiture of its charter, nor to any corporation whose directors have acted as trustees under the provisions of Section 4567, Compiled Laws of 1913.

§ 5. EMERGENCY.] An emergency is hereby declared to exist and this Act shall, therefore, take effect and be in force from and after its passage and approval.

Approved March 4, 1925.

COUNTIES

CHAPTER 114

(S. B. No. 274—Benson.)

ACCOUNTS AND EMPLOYMENT OF COUNTY AGENT

An Act Providing for the Auditing of Expenditures of funds for County Agent work by County Boards of Commissioners; the Supervision of the work and the Employment and Dismissal of the Agent.

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

§ 1. AUDITING ACCOUNTS.] An accurate itemized account of all expenditures incurred by the County Agent in the regular conduct of his duties shall be submitted monthly by him to the Extension Division of the Agricultural College for examination and audit and such account shall be transmitted for audit and recommended for payment to the Board of County Commissioners, who shall have authority to approve or disallow the expense items.

When the Board of County Commissioners is authorized by a majority vote of the people of any county of this state to make a levy for the employment of a County Agent or Agents, it shall be the duty of the Board of County Commissioners to provide a budget which shall stipulate the salary of the Agent, field and office expenses and allowance for clerical hire. After mutually agreeing upon a budget and after deducting the amount of funds contributed from federal funds the commissioners shall proceed to make such levy as will cover the county's share of said budget. Each year thereafter, until discontinued, as hereinafter provided, a similar budget shall be agreed upon and such levy made by the Board of County Commissioners as will meet the County's share of such County Agent

work. In case of a vacancy occurring in the position of Agent, the procedure for the selection of a successor shall be similar to that provided for the selection of an Agent when the work is instituted in the County.

The active direction and supervision of the work of the County Agent shall be carried on by the Extension Division of the State Agricultural College. The Board of County Commissioners, shall, however, have general administrative authority and shall be frequently consulted with reference to the general policy and the work of the Agents. Their suggestions and directions shall be followed when not in conflict with state and federal laws or regulations governing appropriations for County Agent Work.

County Agents shall file with the County Auditor monthly a statement of their work, which report shall in turn be presented by the Auditor to the Board of County Commissioners.

If either the Extension Division of the Agricultural College or the Board of County Commissioners become dissatisfied with a County Agent, a joint meeting shall be arranged at which time detailed information as to the misconduct, negligence or inefficiency of the Agent shall be presented and such joint action taken as is justified by the evidence.

Approved March 6, 1925.

CHAPTER 115

(S. B. No. 275—Benson.)

ELECTION—TAX LEVY FOR COUNTY AGENT WORK

An Act To Amend and Re-enact Section 2263 Compiled Laws of the State of North Dakota for the Year 1913, as Amended and Re-enacted in Chapter 1 of the Session Laws for 1917, as Amended by Chapter 191 of the Session Laws for the Year 1923.

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

§ 1. AMENDMENT.] Section 2263 of the Compiled Laws of the State of North Dakota for the year 1913, as amended and re-enacted in Chapter 1 of the Session Laws for the year 1917, as amended by Chapter 191 of the Session Laws for the year 1923, amended and re-enacted to read as follows:

§ 2263. The Board of County Commissioners of any county in North Dakota upon petition of 20 per cent of the electors of said county, as determined by the votes cast for the office of Governor

at the last preceding election, filed with the County Auditor and worded as hereinafter provided, shall submit to a vote of the people at the next general election the question of providing a tax levy for County Agent work.

PETITION PROVIDING FOR LEVY FOR COUNTY AGENT WORK

We, the undersigned, the electors of..... County, North Dakota, do hereby respectfully petition the Honorable Board of County Commissioners to levy a tax sufficient, and not to exceed, .5 of a mill, to employ County Agent or Agents for the purpose of carrying on County Agent Work in co-operation with the State Agricultural College.

[FORM OF BALLOT.] For an election as hereinbefore provided a separate ballot shall be used and worded as follows:

- For County Agent Work
- Against County Agent Work

On the first day of July following the election when the majority of the voters cast their ballot for county agent work, it shall be the duty of the Extension Division of the North Dakota Agricultural College to present a candidate or candidates to the board of County Commissioners for their selection and final approval as County Agent. There shall be made available from county funds a sum not less than \$2000.00, but in no case shall the levy made for this purpose exceed .5 of a mill.

[METHOD OF DISCONTINUING LEVY.] The Board of County Commissioners of any county of this state upon petition of 20% of the voters of said county, as determined by the votes cast for the office of Governor at the last preceding election, worded as hereinafter provided, shall cause to be submitted to a vote of the people the question of County Agent Work, provided that a separate ballot is used, worded as hereinbefore provided.

FORM OF PETITION FOR DISCONTINUING LEVY

We, the undersigned electors of..... County, North Dakota, do hereby petition the Honorable Board of County Commissioners to place on the ballot the question of discontinuing County Agent Work at the next general election.

If a majority of the votes cast are against continuing the levy for County Agent Work, the tax levy and the services of the Agent shall be discontinued on the 31st day of December following the date of election, provided that funds accumulated under the provisions of this Act remaining in the treasury may be distributed to any fund

or funds that the county commissioners deem expedient. If the majority of the votes cast are for the support of county agent work it shall be the duty of the County Commissioners to continue said tax levy as provided in this act. It shall be unlawful for any Board of County Commissioners to place the question of County Agent Work on the ballot without having received notification from the County Auditor that petitions as provided for in this Act have been filed at least 30 days before the date of election.

Approved March 6, 1925.

CHAPTER 116

(H. B. No. 108—Rabe.)

COLLECTION OF SEED AND FEED ACCOUNTS

An Act To Amend and Re-enact Section Two (2) of Chapter 188 of the Session Laws of 1923 of the State of North Dakota, Relating to the Collection of Seed Grain and Feed Accounts Owing to Counties.

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

§ 1. AMENDMENT.] Section 2 of Chapter 188 of the Session Laws of 1923 is hereby amended and re-enacted to read as follows:

§ 2. It shall be the duty of the Board of County Commissioners to enforce the collection of all money due the County for seed grain and feed furnished it, if the same is not paid when due, and it may, when such action is deemed advisable, order the State's Attorney to proceed by legal action to enforce such collection. The Board of County Commissioners may, in their discretion settle and compromise disputed claims or accounts, and take security therefor; and may extend the time of payment thereof.

§ 3. EMERGENCY.] An emergency is hereby declared to exist and this act shall take effect and be in force from and after its passage and approval.

Approved March 7, 1925.

CHAPTER 117

(H. B. No. 269—Committee on Delayed Bills.)

APPOINTMENT AND SALARY OF DEPUTY SHERIFF

An Act To Amend and Re-enact Section 3523, Compiled Laws of 1913, Relating to the Appointment and Fixing the Salary of Deputy Sheriffs.

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

§ 1. That Section 3523, Compiled Laws of 1913, is hereby amended and re-enacted so as to read as follows:

§ 3523. DEPUTIES.] If in the judgment of the board of county commissioners of any county it shall be necessary for the prompt dispatch of business in the sheriff's office they shall by resolution provide for appointment by the sheriff, of a chief deputy, or other deputies, and the time for which they shall be employed, and fix the compensation which they shall receive, which shall be paid monthly in the same manner as the salary of sheriff. Provided that the salary of any deputy or clerk other than the chief deputy shall not be more than one hundred dollars per month. Provided, further, that no such chief deputy shall receive less than seventy-five dollars nor more than one hundred and ten dollars per month, except that in all counties having a population of more than eighteen thousand according to the last census the chief deputy sheriff shall receive a salary of no more than one hundred twenty-five dollars per month. Provided, that the sheriff may appoint in each commissioner district of his county, except in commissioner districts where a salaried deputy is located, at least one deputy, whose compensation shall be such mileage and livery fees only as are now provided by law.

§ 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

Approved March 10, 1925.

CHAPTER 118

(H. B. No. 221—Hardy of Mountrail.)

COUNTY SURVEYOR'S FEES

An Act To Amend and Re-enact Section 3532, Article 13, Chapter 43 of the Compiled Laws of 1913, Relating to the Fees of County Surveyors.

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

§ 1. AMENDMENT.] That Section 3532, Article 13, Chapter 43 of the Compiled Laws of 1913, is hereby Amended and Re-enacted so as to read as follows:

§ 3532. FEES ALLOWED.] County Surveyors shall be allowed to charge and receive the following fees:

1. For time actually employed, five dollars per day and mileage.
2. For each lot laid out and platted in any city or village, twenty-five cents.

3. For each copy of plat and certificate, fifty cents.
4. Recording each survey, twenty-five cents.
5. For each mile actually and necessarily traveled in going to and returning from work, ten cents.
6. For establishing each corner, twenty-five cents.
7. For ascertaining the location of a city or village lot in old survey and measuring and marking the same, two dollars.
8. For surveying county roads, five dollars per day.
9. Expenses for necessary assistance shall in addition be paid by the person requiring the work to be done.

§ 2. All Acts and parts of Acts in conflict herewith are hereby repealed.

Approved March 10, 1925.

CHAPTER 119

(S. B. No. 184—Ettestad.)

COUNTY TREASURER

An Act To Repeal Section 3455 of the Compiled Laws of North Dakota for the year 1913 Relating to Commissions Allowed County Treasurers upon Bond Issues.

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

§ 1. Section 3455 of the Compiled Laws of North Dakota for the year 1913 is hereby repealed.

Approved March 3, 1925.