

## Land Drainage Bonds.

### CHAPTER 76.

AN ACT to Authorize the Board of Supervisors of the Several Organized Townships in this Territory and those that may be hereafter Organized, to Issue Bonds for the Purpose of Draining, Ditching, Grading or for other purposes.

*Be it Enacted by the Legislative Assembly of the Territory of Dakota:*

§ 1. WHEN BONDS MAY BE ISSUED—ELECTION.] That whenever ten or more actual bonafide residents of any of the organized towns in this Territory or that may hereafter be organized, shall present a written petition to the board of supervisors of their respective towns, praying for the ditching, draining, grading or surveying the township or any major portion thereof, the said board of supervisors shall estimate the cost of such improvements, and, if they the said board of supervisors shall find the cost of said work as contemplated in the petition, shall exceed for the necessary machinery, implements, labor, etc., the sum of one thousand dollars, or that to meet said expense by a direct taxation upon the taxable property of said township, would be excessive and burdensome in any one year, then said board shall be authorized and it shall be their duty to submit to the voters of the township the question of the issue of the bonds of said town at a special or regular election, giving at least twenty days notice thereof, and specifying in the notices the specific purposes for which said election has been called, and the amount of bonds to be issued, which said notices shall be posted in at least five public places in said township.

§ 2. BALLOTS.] The ballots to be used at such election shall have printed or written or partly printed and partly written "For Township Bonds," or "Against Township Bonds." And if a majority of the legal voters of such township present and voting, shall be in favor of, and the majority of the ballots so cast shall be for township bonds, then said board of supervisors shall issue the bonds of the township.

§ 3. DESCRIPTION OF BONDS.] The bonds so issued, as provided for in section two of this act shall be known as town improvement bonds of township (giving the name or number of the town) and shall have coupons attached and numbers; which said bonds shall run for a time not exceeding ten years, and to draw a rate

of interest not exceeding eight per centum payable annually, and that said bonds shall not be disposed of for less than their par value.

§ 4. **BOND TAX.]** The board of supervisors shall provide for the levy of sufficient taxes to provide for a sinking fund to pay said bonds when they shall become due, and also for a sufficient tax to pay the interest upon said bonds annually.

§ 5. **MONEYS, HOW DISPOSED OF.]** The money derived from the sale of said bonds, shall be paid to the township treasurer of such township, and shall be used under the direction of the board of supervisors, only on the construction of the work and for the necessary machinery, for which the bonds were issued and for no other purpose, and shall be paid only by the treasurer upon the order of the chairman of the board of supervisors when countersigned by the township clerk, and any violation of this section shall be a misdemeanor.

§ 6. **RECORD OF BONDS, ETC.]** The bonds before being sold shall be signed by the chairman of the board of supervisors and town clerk and countersigned by the township treasurer, and both the treasurer and clerk of the township shall keep a true record of said bonds showing the date of issue, to whom issued, the amount and number of each bond, date of maturity and rate of interest and the amount realized from the sale of the same.

§ 7. **CONTRACTS.]** All grading, ditching, levies or embankments constructed under the provisions of this act, shall be by contract and let to the lowest responsible bidder after due public notice, and the person to whom the contract shall be let shall be required before he shall enter into the contract, to enter into suitable bonds with two sureties to be approved by the board of supervisors, for the faithful performance of his contract, etc.

§ 8. **ACT, HOW CONSTRUED.]** Nothing in this act shall be construed so as to allow the said board of supervisors the right to run across or go upon private property without first securing the permission of the owner or owners of said property, other than that of section lines, neither shall it be construed so as to allow a ditch to terminate so as to cause water to flood private property, but all such ditches must be complete and empty into a ravine, cooley, water-course, river or stream.

§ 9. **LIMIT OF TOWNSHIP INDEBTEDNESS.]** The amount of indebtedness including outstanding bonds in any township shall not exceed five per cent. of the assessed valuation of said township as shown by the last assessment prior to the issuing of said bonds on the incurring of such indebtedness.

§ 10. **EMPLOYMENT OF ENGINEER.]** The board of supervisors may, if they shall deem it necessary to, employ a competent en-

gineer, to take a level of the townships for the purposes of finding the natural fall of the land.

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

ENDORSED.—Received at Executive Office, March 2, 1883, at 3 p. m.

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**Note by the Secretary of the Territory.**

The foregoing act having been presented to the Governor of the Territory for his approval, and not having been returned by him to the House of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

GEO. H. HAND,  
*Secretary of the Territory.*

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## Legislative Assembly.

### CHAPTER 77.

#### ENROLLING CLERKS AND EXTRA PAY TO OTHER OFFICERS.

AN ACT Authorizing the Employment of Assistant Engrossing and Enrolling Clerks and Appropriating Funds for the Payment of the Same, and to Provide for the Compensation of other Officers for Extra Service.

*Be it Enacted by the Legislative Assembly of the Territory of Dakota :*

§ 1. COMMITTEE MAY EMPLOY CLERKS.] That the committee on engrossed and enrolled bills in the council and house are hereby authorized to employ assistant engrossing and enrolling clerks.

§ 2. COMPENSATION.] That the said assistant engrossing and enrolling clerks shall be allowed the sum of four dollars per day for each and every day employed, or shall be allowed the sum of ten cents per folio for each and every folio enrolled, which per diem for each day employed or work so done per folio shall be paid on a properly audited account, certified as correct by the chief clerks of the council and house of representatives.

§ 3. EXTRA ALLOWANCE TO OTHER OFFICERS.] That the chief clerk and assistant chief clerk of the council, the chief clerk and assistant clerk of the house, be each allowed the sum of fifty dollars, and the engrossing and enrolling clerk of the council and