

to employes thereof by the negligent acts of other employes thereof; therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 6, 1899.

RAILROAD COMMISSIONERS.

CHAPTER 130.

[H. B. 177.]

MAINTAINING A "Y."

AN ACT to Amend Section 3067 of the Revised Codes of 1895, Providing for the Constructing and Maintaining of a Y and Other Tracks to Connect Railroad Lines, Defining the Duties of Railroad Commissioners in Relation Thereto and Prescribing the Manner of Enforcing the Orders of Such Commissioners by Proper Courts.

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

§ 1. AMENDMENT.] That section 3067 of the Revised Codes of North Dakota be amended and re-enacted so as to read as follows:

§ 3067. In all cases where any line of railroad shall cross or intersect any other line of railroad in this state on the same grade, it shall be the duty of each of the railroad companies owning or operating such intersecting railroad lines to provide at such crossing or intersection, when deemed necessary by the board of railroad commissioners, suitable and sufficient facilities, such as building Y or other tracks and connections for transferring cars and traffic of all kinds, and classes or cars from one such line of railroad to another, and to maintain the same and afford equal and reasonable facilities for the interchange of cars and traffic between the respective lines, the expense of constructing and maintaining such Y or track to be borne equally by each such railroad companies, or in such proportion as they may agree upon, but in case either or both of said companies fail, neglect or refuse to provide such facilities after notice as provided in section 3068, it shall be the duty of the board of railroad commissioners in the name of the State of North Dakota to commence an action in any court of competent jurisdiction to compel such company or companies to provide such facilities; which action shall be commenced and prosecuted for the enforcement of the order and notice of said commissioners in accordance with the provisions of chapter 115 of the laws passed at the Fifth legislative assembly of the State of North Dakota, relating to the enforcement of the orders of such commissioners.

Approved March 8, 1899.

CHAPTER 131.

[H. B. 176.]

PROVIDING FOR EXPENSES.

AN ACT to Provide for the Payment of Expenses Incurred in Litigation Arising for the Enforcement of Orders of the Board of Commissioners of Railroads or Other Litigation in Charge of the Attorney General.

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

§ 1. COSTS AND EXPENSES.] That all costs and expenses actually incurred by or upon the order of the attorney general incident to any litigation arising in reference to the enforcement of orders of the board of commissioners of railroads or other litigation commenced by or in charge of said attorney general shall be paid out of the general fund of the state upon vouchers to be approved by the attorney general, governor and state auditor.

§ 2. EMERGENCY.] Whereas, an emergency exists in that there is no well settled rule regarding the payment of such costs and expenses this act shall take effect immediately upon its passage and approval.

Approved March 9, 1899.