

ing any one civil township, nor more than one hundred eighty dollars be paid for assessing any one assessor district other than civil township; provided, further, that the person shall not be eligible to be assessor unless he is a voter and owner of real estate in the district or township for which he is to be assessor.

§ 2. EMERGENCY.] Whereas, the assessment under the present law will be made prior to July 1st, an emergency exists; therefore, this act shall take effect from and after its passage and approval.

Approved March 8, 1899.

CHAPTER 139.

[H. B. 135.]

BIDDING IN OF LAND:

AN ACT Providing for the Manner of the Disposition of Lands Acquired by the State or the Several Counties of the State Under the Provisions of Chapter 67, Laws of 1897, or Other Revenue Laws.

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

§ 1. All lands which may have been or may be bid in for the state or any county in the state by virtue of the provisions of chapter 67, Laws of 1897, or other revenue laws, may be disposed of by the county auditor at public or private sale as the county commissioners may direct subject to such rules and restrictions as they may prescribe.

Approved March 2, 1899.

ROADS.

CHAPTER 140.

[S. B. 138.]

AN ACT to Authorize the Purchase of Tools and Machinery for Making Roads, in Certain Cases, and to Prescribe the Manner of Payment Therefor, and the Use and Care of Same.

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

§ 1. BOARD AUTHORIZED TO PURCHASE TOOLS.] The township board of any township is authorized to purchase for the use of the township, upon credit or otherwise, any tools, road machines or road graders, or either of them, or one or more of either of them for the use of the township, or the use of the overseer of the districts therein,

as in this act provided. Such implements when purchased, shall be paid for in not to exceed five annual payments out of the highway tax of the township, according to the contract therefor, and the chairman of the town board shall issue orders for the payment of the same, and such orders shall be attested by and registered with the township clerk, and the township clerk shall certify to the supervisors of such township, at the time of assessing the highway tax for such township, the sum necessary to pay such orders, and this sum shall be added to the other taxes to be raised for highway purposes, and when collected shall be applied to the payment of such orders and to no other purpose until all such orders are paid. The township board shall have the custody and control of all implements so purchased.

§ 2. PURCHASE ROAD MACHINE.] In any township in which the whole or any part of the highway tax is paid in labor, the chairman of the township board thereof shall, upon being petitioned in writing by a majority of the freeholders of the town, contract for and purchase upon credit or otherwise, a road machine, road grader or wheeled scrapers or one or more of either of them, for the use of the township, which implement shall be used, owned and cared for by the township. Such implements shall be paid for out of the highway tax of the township, and may be paid for in not to exceed five annual installments. A copy of the note or contract issued upon such purchase shall be filed in the office of the township clerk, and it shall be the duty of such township clerk to present a statement of the sum due thereon to the township board at each regular meeting held thereafter for the audit of the township claims and charges, and the township board shall audit the same. Not more than one-half of the highway tax of the township shall be applied to the payment therefor in any one year. The portion of such tax so applied, shall be required to be paid in money, and shall be assessed and levied upon property of the township, and collected in the same manner as other township charges are assessed, levied and collected, except that the amount thereof shall be put into a separate column on the tax roll, and the township board shall cause the same so certified to by the township clerk to be levied upon the taxable property of the township.

§ 3. OVERSEER RESPONSIBLE.] Each road overseer of highways shall be personally responsible for the proper use and care of such implements while in his charge, or in use in his district, and any overseer of highways, or other person who shall through negligence or otherwise wilfully injure or damage such implements or permit them to be injured, shall be liable for such damage to such township, in an action to be brought by the chairman of the township board before any justice of the peace in said town or any adjoining town.

§ 4. STORAGE OF IMPLEMENTS.] It shall be the duty of the township board of each township to provide suitable places for the stor-

age and proper housing of all tools, implements and machinery owned by the township, and to cause such tools, implements and machinery to be stored and house therein when not in use.

§ 5. REPEAL.] All acts and parts of acts in conflict with this act are hereby repealed.

§ 6. EMERGENCY.] An emergency exists in that there is no provision in the law authorizing the purchase and care for road tools, and it is necessary in a number of towns that tools be procured next spring; therefore, the provisions of this act shall be in effect from and after its passage and approval.

Approved March 4, 1899.

CHAPTER 141.

[H. B. 148.]

ROAD TAX AND ROAD WORK.

AN ACT to Amend Section 2669 of the Revised Codes of North Dakota, 1895, Relating to Township Road Tax and Road Work.

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

§ 1. AMENDMENT.] That section 2669 of the Revised Codes of 1895 be amended to read as follows:

§ 2669. PLANS AND SPECIFICATIONS.] The several township boards whenever in their judgment it is for the best interest of the township may at the next annual meeting cause a vote to be taken by a ballot on which shall be written or printed the words "for contract system," "against contract system," and if a majority of the votes cast are in favor of the contract system then the township board shall at the next meeting succeeding the annual meeting advertise in one of the county papers for bids for two successive weeks for the improvement and repairing of highways and bridges in its township in the following manner:

1. The board shall furnish plans and specifications for all work and improvements to be done and performed in the several townships which shall be filed in the office of the township clerk.

2. It shall at the time of advertising for bids give at least ten days notice to be posted in conspicuous places in said township that bids will be received at a time and place mentioned in said notice, and said contracts shall be let to the lowest bidder in accordance with such plans and specifications as are furnished by said board, and the said board shall require upon the letting of such contract or contracts a good and sufficient bond for the faithful performance of the work to be done and performed in said contract, and said board shall have authority to reject any and all bids. Whenever

the "contract system" has been adopted, as provided herein, township road taxes shall be paid in money only.

§ 2. REPEAL.] All acts and parts of acts in conflict with this act are hereby repealed.

§ 3. EMERGENCY.] Whereas, an emergency exists, that there is no law for the payment of township road taxes except by labor when the contract system is adopted, this act shall be in force on and after its passage and approval.

Approved March 6, 1899.

SABBATH BREAKING.

CHAPTER 142.

[H. B. 107.]

PUNISHMENT FOR SABBATH BREAKING.

AN ACT to Amend Section 6847 of Chapter 4 of the Penal Code of the State of North Dakota, Relating to the Punishment of Sabbath Breaking.

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

§ 1. AMENDMENT.] Section 6847 of chapter 4 of the penal code of the State of North Dakota is hereby amended to read as follows:

§ 6847. SABBATH BREAKING. HOW PUNISHED.] Every person guilty of Sabbath breaking is punishable by a fine of not less than one dollar nor more than ten dollars, at the discretion of the court, for each offense.

Approved March 8, 1899.