

GUARDIANS.

CHAPTER 116.

[S. B. No. 11—Pierce.]

SPECIFIC PERFORMANCE BY GUARDIANS.

AN ACT Providing for Specific Performance by Guardians of Contracts for Sale of Real Estate in Certain Cases.

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

§ I. SPECIFIC PERFORMANCE BY GUARDIANS.] When a person who is bound by contract in writing to convey any real estate, dies before making the conveyance, and such real estate or the interest therein of the decedent shall have passed by inheritance or devise to any minor, the county court may make a decree authorizing and directing the guardian of such minor to convey such real estate to the person entitled thereto, in all cases when the decedent, if living, might be compelled to make such conveyance. The same proceedings shall be had, and the effect thereof shall be the same as in proceedings to compel specific performance by an executor or administrator, as provided in sections 6457, 6458 and 6459 of the revised codes and acts amendatory thereof.

Approved February 10, 1905.

HIGHWAYS.

CHAPTER 117.

[H. B. No. 73—Morgan.]

DESTRUCTION OF WEEDS.

AN ACT for the Destruction of All Weeds on All Graded or Cultivated Highways.

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

§ I. ROAD OVERSEER TO DESTROY WEEDS.] All weeds of every name and nature and description shall be cut by the road overseer of public highways on such roads that are graded or otherwise cultivated.

§ 2. WEEDS SHALL BE CUT 16 FEET FROM CENTER OF ROAD.] Such weeds shall be cut for a distance extending at least 16 feet from the center on each side of the road.

§ 3. WHEN TO BE CUT. HOW PAID FOR. OWNER OF ADJOINING PREMISES WHO CUTS TO BE CREDITED ON HIS ROAD TAXES.] Such weeds shall be cut not earlier than July 15 and not later than August 5 of each year and said work shall be paid for out of the road fund the same as any other road work; provided, that if the owner of adjoining premises shall cut the weeds therein required to be cut, he shall be credited on his road taxes with the cost of cutting said weeds, said cost to be determined by the road overseer.

§ 4. DUTY OF OVERSEERS.] All overseers of public highways shall file their bill for road work with the board of township supervisors in organized townships and with the board of county commissioners in unorganized townships, but such bill shall not be allowed until such cutting of weeds is completed, and at the time said bill is filed it shall be accompanied by an affidavit of the overseer that the said weed cutting has been completed.

Approved March 9, 1905.

CHAPTER 118.

[S. B. No. 36—Stade.]

HIGHWAY GRADES.

AN ACT Providing for Establishment of Grades and Highways in Certain Cases.

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

§ 1. GRADES, HOW ESTABLISHED.] That in all places where highways are improved and graded under the contract system, in a township where land contiguous to, adjoining and outside of the limits of any city or village has been surveyed into a block or blocks and divided into city or village lots, the person to whom such contract is awarded shall comply strictly with the ordinances of such city or village as to roads, streets, grades, space for sidewalks, berms and gutters, where, in the opinion of the township board having control of the same, the cost of such grading shall be one hundred dollars or upwards. An estimate, profile and cross section of such desired improvement shall be made by the county surveyor of said county, and the contract for such improvement shall be let to the lowest responsible bidder not a member of the said board and the work done under such contract shall not be accepted or paid for until said surveyor has reported that the said contract has been substantially complied with; provided, that all roads and streets in city, town or vil-

lage additions of outlots shall be graded according to the requirements of such city, town or village ordinance or custom as to space for sidewalks, berms and gutters.

Approved February 24, 1905.

INSANE HOSPITAL.

CHAPTER 119.

[S. B. No. 130—Sifton.]

PAY OF RESIDENT OFFICERS OF INSANE HOSPITAL.

AN ACT to Amend Section 992 of the Revised Codes of North Dakota, 1899, Relating to Powers and Duties of the Board of Trustees of the State Hospital for the Insane.

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

§ 1. AMENDMENT.] That section 992 of the revised codes of North Dakota, 1899, be amended and re-enacted so as to read as follows:

§ 992. POWERS AND DUTIES OF BOARD.] The board of trustees shall have general control and management of the hospital and shall make all by-laws, rules and regulations necessary for the government of the same not inconsistent with the laws of the state. It shall appoint a superintendent, who must be a physician of acknowledged skill and ability, a graduate of a reputable medical college and a person possessing a good moral character. It shall, when the superintendent shall deem such appointment necessary, appoint one or more assistant physicians, who shall possess like skill and ability and be graduates of a reputable medical college; also a steward and matron, all of whom shall be styled the resident officers of the hospital, and who shall reside therein and be governed by the laws and by-laws of such institution. The annual salaries of the resident officers shall be as follows: Superintendent, two thousand five hundred dollars; steward not to exceed fifteen hundred dollars; first assistant physician, not to exceed sixteen hundred dollars; assistant physician, not to exceed twelve hundred dollars per annum for each, according to length and quality of service, which said salaries shall be fixed by the board of trustees; matron, five hundred dollars.

§ 2. REPEAL.] All acts and parts of acts in conflict herewith are hereby repealed.

Approved March 13, 1905.