

tax certificates, also any subsequent taxes paid by the holder thereof, shall continue to draw interest until said taxes are paid or redeemed. Provided, further, that in case said tax certificate should for any reason be declared void the interest thereon shall cease from and after three (3) years from the date of such certificate.

Approved March 7, 1919.

## TELEPHONE COMPANIES

### CHAPTER 234.

(H. B. No. 111—L. H. Larson.)

#### MUTUAL TELEPHONE COMPANIES

An Act Defining Mutual Telephone Companies, Placing Same Under Control of Railroad Commissioners and Providing for Certain Rules and Conditions Governing Same.

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

Sec. 1. MUTUAL TELEPHONE COMPANIES DEFINED.) The words "Mutual Telephone Company" as used in this Act shall mean any number of persons, numbering fifteen or more, associated in a company or corporation engaged in the business of furnishing communication by telephone within the State of North Dakota, primarily for their own convenience and not for profit, the expenses of such company or corporation being met by assessments on the individual members except as herein provided.

Sec. 2. MUTUAL TELEPHONE COMPANIES DECLARED TO BE COMMON CARRIER.) Mutual Telephone Companies when their line or lines are of Standard construction with either grounded circuit or metallic circuit, and equipped with standard instruments are hereby declared to be common carriers and as such shall come under Chapter 209 of the Compiled Laws of 1915 except as herein provided.

Sec. 3. ASSESSMENTS.) It shall be the duty of any Mutual Telephone Company to make assessments sufficient to meet the expenses of the system and to provide a sinking fund sufficient to cover depreciation.

Sec. 4. EXTENSION OF LINE AND SYSTEM.) Mutual Telephone Companies shall be deemed established for the community in which the system is built, and the by-laws of such companies shall make provisions for toll stations for taking on new members and for taking on transient persons as renters; provided, however, the number of such renters' telephones shall not exceed one-fourth the entire number of telephones in the system.

Sec. 5. UNNECESSARY DUPLICATION, ETC.) Section 10 of the Compiled Laws of 1915 shall not be construed as prohibiting

Mutual Telephone Companies or corporations, with lines in rural sections from making physical connections with the telephone systems of two or more towns, villages, or cities, through such lines, as the benefits to its members may merit.

Sec. 6. PHYSICAL CONNECTIONS.) Any telephone company operating within a town, village or city shall not deny physical connection to any mutual telephone company operating in the community adjoining said town, village or city, nor shall any contract between any such companies abridge in any way the rights of either company to extend its lines or to make physical connection with any other telephone company.

Sec. 7. REPEAL.) All Acts or parts of Acts conflicting with the provisions of this Act, are hereby repealed, as far as they are inconsistent herewith; provided, however, that the provisions of this Act shall not abrogate any existing powers now in the possession of any town, village or city in this State.

Approved March 7, 1919.

## USURY

### CHAPTER 235.

(H. B. No. 2—Miller.)

#### PENALTY FOR USURY.

An Act to Amend and Re-enact Section 6076 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Penalty for Usury.

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

Sec. 1. AMENDMENT.) That Section 6076 of the Compiled Laws of North Dakota for the year 1913, be amended and re-enacted so as to read as follows:

Sec. 6076. PENALTY FOR USURY.) The taking, receiving, reserving or charging a rate of interest greater than is allowed by Section 6073 and 6075 as amended by Chapter 176, Session Laws of the State of North Dakota for the year 1915 shall be deemed a forfeiture of the entire interest which the note, bill or other evidence of debt carries with it, or which has been agreed to be paid thereon. In case the greater rate of interest has been paid, the person by whom it has been paid, or his legal representatives, may recover back in an action for that purpose twice the amount of interest thus paid from the person taking or receiving the same; provided, that such action is commenced within four years from the time the usurious transaction occurred. Any person whether in his own individual right or as the agent, servant or representative of any individual, firm or corporation, who shall violate the terms and provisions of Section 6072 or 6073, shall be guilty of a misdemeanor and upon conviction