

§ 3. Upon decreeing a separation in any such suit, the court may make such orders and decree for the suitable support and maintenance of the wife or husband, and children, if any, out of the separate or joint property of the husband and wife; or such division of the joint or separate property of the husband and wife as may appear just and proper.

§ 4. Such decree of separation from bed and board shall confer upon both the husband and wife all the rights of property, business and contracts as if unmarried; and shall release both husband and wife from all obligations of maintenance, except as may be required by the decree.

§ 5. When a decree for a separation forever, or for a limited period, shall have been pronounced, it may be revoked at any time thereafter by the same court by which it was pronounced, under such regulations and restrictions as the court may impose, upon the joint application of the parties, upon their producing satisfactory evidence of their reconciliation.

§ 6. No action shall be brought or maintained under the provisions of this act unless the plaintiff has complied with the statutory residence and citizenship provisions required of the plaintiff in a divorce proceeding.

Approved March 3, 1927.

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## DRAINS

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### CHAPTER 133

(H. B. No. 311—Committee on Drainage)

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#### DRAINAGE WARRANTS FOR DRAINS ABANDONED OR POSTPONED

An Act to Provide for the Payment of Outstanding Warrants Issued by any Board of Drain Commissioners for Expenses Incurred and for Services of Surveyors, Engineers and other Persons or Corporations, Contracted for and Rendered Prior to the Establishment of Drains for the Purpose of Draining Agricultural Lands, in Cases where any such Board has Established such Drain or Drains, and same has thereafter been abandoned, or the Construction thereof Postponed for a Period of more than Two Years, and Providing for the Re-conveyance of Land no Longer Required for Drainage Purposes.

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

§ 1. That in all cases where a petition has been presented to the Board of Drain Commissioners in any County in this State, for the establishment of a drain, having among its purposes, the drainage of agricultural lands and where such drain has been established

by order of the Board of Drain Commissioners having jurisdiction thereof, and where the construction of such drain has thereafter been abandoned, or the construction thereof has been discontinued for a period of two years or more and no levy or collection of any assessment to provide a fund from which the expenses of procuring a survey, plans, specifications, or a plat of such proposed drain, and for other expenses connected with the establishment thereof, provided for by law, has been made, the Board of Drain Commissioners of any such County shall forthwith, if not already done, apportion the amount of all outstanding warrants, heretofore drawn for such purposes against such drain fund, to the lands and municipalities found by such Board to be benefited by such proposed drain; and such apportionment shall be made in proportion to the benefits found by such Board to accrue to each and any such tract of land or municipality, so that the aggregate thereof may equal all such outstanding warrants.

§ 2. Any such Board shall thereupon prepare a list of all such lands and municipalities and shall extend opposite each tract or municipality the amount so apportioned thereto, and shall, forthwith, return such list, certified by such Board, to the County Auditor of the proper County.

§ 3. All provisions of law relating to, or providing for, hearings and notices thereof, now in force and applicable to any or all of the proceedings relating to and providing for the establishment and construction of drains, shall apply to corresponding proceedings provided for by this act.

§ 4. Upon receiving such list, the County Auditor shall extend the amount so apportioned to each tract or municipality, upon the tax list of said County for collection and the same shall be included in the taxes assessed against each such tract the same as is now provided by law for the collection of assessments so levied for the payment of the cost of construction of Drains, and shall be collected in the same manner as now provided by law for the collection of such assessments; and the portion assigned to any municipality shall be by it paid in the same manner as now provided by law for payment of assessments for the construction of such drains.

§ 5. Upon the presentation of any outstanding warrant dated January 1st, 1919, issued for the purposes hereinbefore specified, the County Treasurer of the appropriate County shall pay the same out of the fund derived from the assessment herein provided for, when sufficient moneys have been collected and credited to such fund, in the order in which they are presented, together with interest thereon, according to the terms of such warrants.

§ 6. Whenever land has been heretofore or may hereafter be acquired by the County for use for drainage purposes, and such land

is no longer required for such use, the Board of Drainage Commissioners shall have authority and they are hereby empowered to reconvey such land to the proper party entitled thereto upon surrender of all warrants issued or repayment of all cash paid, in payment of such land.

Approved March 7, 1927.

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## ELECTIONS

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### CHAPTER 134 (S. B. No. 140—Carey)

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#### DISPOSITION ELECTION BALLOTS—COMPENSATION ELECTION OFFICERS

An Act to Amend and Re-enact Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota, Relating to the Return and Disposition of Election Ballots and Compensation of Election Officers.

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

§ 1. AMENDMENT.] That Section 1008 of the Supplement to the 1913 Compiled Laws of North Dakota be, and the same is hereby amended and re-enacted to read as follows:

§ 1008. The inspector of election or one of the judges, appointed by him shall forthwith deliver to the clerk of the town, city or village, one of such statements and one of such poll lists, together with the stamps inscribed with the words "Official ballot" to be filed and preserved in his office, and shall with all convenient dispatch and within three days after the election, deliver the other two statements to the County Auditor and Secretary of State, respectively, by registered mail, said statement having been by the judges carefully sealed up, together with the other poll lists, and with the oaths of inspectors and clerks affixed, under cover, properly directed to the County Auditor and Secretary of State, respectively, and the person mailing such returns shall receive as compensation therefor the sum of two dollars (\$2.00) to be paid out of the county treasury on a warrant of the County Auditor.

The statement and poll lists aforesaid, having been duly prepared for delivery to the County Auditor as aforesaid, the inspector and judges of election shall cause the ballots of each kind cast at such election to be smoothly spread upon a wrapper of strong durable paper of the same width of such ballots and of sufficient strength to permit of its being folded with the said ballots and form