

meeting of the council of such city, a majority of all the members elected voting therefor; provided, that no lease shall be for a longer period than ninety-nine years, and it shall be the duty of the mayor of the city, on the presentation to him of a certificate from the city treasurer, showing that the purchaser of any lot or lots from the city council has deposited the purchase price with him, to execute to the purchaser a deed in the name of the city for said lot or lots so sold.

§ 2. EMERGENCY.] Whereas, an emergency exists in this that there is now no law providing for the sale or leasing of lots held in trust by cities, acquired under the provisions of section 2387 of the revised statutes of the United States, by the city council at any regular or special meeting, nor for the leasing of such lots for more than twenty years; therefore, this act shall take effect and be in force from and after its passage and approval.

Approved Feb. 10, 1903.

TOWNSHIPS.

CHAPTER 199.

[S. B. No. 133—Clarke.]

DISSOLUTION OF TOWNSHIPS.

AN ACT to Amend Sections 2680b and 2680d of the Revised Codes of the State of North Dakota, 1899, Relating to Dissolution of Townships.

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

§ 1. AMENDMENT.] That section 2680b of the revised codes of the state of North Dakota, 1899, be amended and re-enacted to read as follows:

§ 2680b. AMENDMENT. SHALL VOTE BY BALLOT.] The board of supervisors of such civil township shall preside at such meetings, and the polls shall be opened and closed as at other township meetings, and the voters shall vote by ballot, "yes" or "no," and the result of the vote shall be publicly announced after the polls close and as soon as ascertained by the officers of such meeting, and if a majority of all the votes [shall be "yes" and shall] have been given by a majority of all the legal voters in such civil township, a statement of the vote signed by the chairman of the board of supervisors of such civil township, and attested by the clerk thereof, shall be filed in the office of the county auditor of the county within which such civil township lies, and such civil township shall on the first day of January next succeeding the time of holding such meeting cease to be a corporation; provided, the property belonging to such civil township,

after the payment of its debts and liabilities, shall be disposed of in such manner as a majority of the voters of such civil township at any special meeting may have directed. And all of the records of such civil township shall be turned over by the officers of said civil township to the county auditor of the county wherein said district lies, for preservation and safe keeping.

§ 2. That section 2680d of the revised codes of the state of North Dakota, 1899, be amended and re-enacted to read as follows:

§ 2680d. AMENDMENT. ASSESSMENT AND LEVY.] Upon the dissolution of any civil township, it shall be the duty of the board of county commissioners of the county within which such civil township lies, to attach the territory embraced within such township for the purpose of assessment and taxation to such assessment district of such county as such board may deem advisable or practicable, and to levy on the taxable property in such township, in addition to the other levies provided by law, a sum sufficient to discharge all debts and liabilities existing against said township at the time of its dissolution, and the county auditor shall enter the same on the county tax list, to be collected by the county treasurer as other county taxes are collected, and it shall be the duty of said treasurer to credit the money derived from such levy to a special fund to be used in the payment of said debts and liabilities, and any balance remaining in said fund after the payment of said debts and liabilities, shall be transferred to the credit of such district, to be used in the construction of roads and bridges therein.

Approved March 19, 1903.

CHAPTER 200.

[S. B. No. 58—Williams.]

MEETINGS OF TOWNSHIP SUPERVISORS.

AN ACT to Amend Chapter 205 of the Session Laws of 1901, Relating to the Meetings of Township Board of Supervisors.

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

§ 1. AMENDMENT.] That chapter 205 of the session laws of 1901 be amended so as to read as follows:

§ 205. REGULAR MEETINGS.] The township board of supervisors shall hold regular meetings on the Tuesday next preceding the annual town meeting (being the second Tuesday of March), and on the Tuesday next succeeding the annual town meeting (being the fourth Tuesday of March), on the second Monday in June and the last Tuesday in October of each year.

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

§ 3. EMERGENCY.] Whereas, an emergency exists in that an

election for township officers will be held before July 1st, this act shall take effect and be in force on and after its passage and approval.
Approved March 9, 1903.

TRIALS.

CHAPTER 201.

[H. B. No. 254—Young.]

TRIALS WITHOUT JURY AND APPEALS.

AN ACT to Amend Section 5630, Relating to Trials in District Court Without a Jury, and Appeals Therefrom.

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

§ 1. AMENDMENT.] That section 5630 of the revised codes of North Dakota be, and the same is hereby amended and re-enacted so as to read as follows:

§ 5630. ALL EVIDENCE RECEIVED. EXCEPTION. APPEAL.] In all actions tried by the district court without a jury, in which an issue of fact has been joined, excepting as hereinafter provided, all the evidence offered on the trial shall be received. Either party may have his objections to evidence noted as it is offered; but no new trial shall be granted by the district court on the ground that incompetent or irrelevant evidence has been received, or on the ground of the insufficiency of the evidence. A party desiring to appeal from a judgment in any such action, shall cause a statement of the case to be settled within the time and in the manner prescribed by article 8, of chapter 10, of this code, and shall specify therein the questions of fact that he desires the supreme court to review, and all questions of fact not so specified shall be deemed on appeal to have been properly decided by the trial court. Only such evidence as relates to the questions of fact to be reviewed shall be embodied in this statement. But if the appellant shall specify in the statement that he desires to review the entire case, all the evidence and proceedings shall be embodied in the statement. All incompetent and irrelevant evidence, properly objected to in the trial court, shall be disregarded by the supreme court, but no objection to evidence can be made for the first time in the supreme court. The supreme court shall try anew the questions of fact specified in the statement or in the entire case, if the appellant demands a retrial of the entire case, and shall finally dispose of the same whenever justice can be done without a new trial, and either affirm or modify the judgment or direct a new judg-