

utility company or corporation shall fail, refuse, or neglect to make such payment within the time herein prescribed, the Board of Railroad Commissioners shall file a detailed statement of any amount disbursed by it by reason of the foregoing, together with their order for payment, and a report of non-payment thereof, with the State Board of Equalization, which Board shall thereupon assess such amount against the property of such utility company or corporation in the manner provided by law for the assessment of the property of public utility companies or corporations, and the same shall be collected in the manner and form provided by law for the collection of taxes against such property, and shall be paid as a condition precedent to the right of appeal from any order or decision of the Board of Railroad Commissioners.

§ 5. **ADDITIONAL AMOUNT TO BE PAID, REFUND.]** That in the event the amount so fixed shall be insufficient to cover the costs and expenses of such revaluation, the Board of Railroad Commissioners may make its order for an amount sufficient to cover such additional costs, and the same shall be levied and collected in the same manner as the original amount; and in the event the original order shall be for an amount in excess of the actual cost of such investigation, such surplus shall be refunded to the utility depositing the same within thirty days after the actual amount has been determined.

§ 6. **SAVING CLAUSE.]** That if any part of this Act is held unconstitutional such holding shall not impair nor invalidate the remainder of the Act, but shall be confined to the operation of that part adjudged invalid.

§ 7. **REPEAL.]** All Acts or parts of Acts in conflict herewith are hereby repealed.

Approved March 9, 1933.

RAILROADS

CHAPTER 221

S. B. No. 213—(Bonzer.)

FULL CREW SELF-PROPELLED VEHICLES ON RAILS

An act to promote the safety of employees and travelers on railroads by compelling common carriers by railroad to properly man self-propelled vehicles operated on rails, and providing penalties and measuring damages for violation thereof.

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

§ 1. It shall be unlawful for any railroad company doing business in the State of North Dakota to operate or permit to be operated

on or over any of its main track any self-propelled crane, pile-driver, weed-burner, or other self-propelled engine or machine not used for the transportation of passengers and/ or freight or property for hire which has sufficient power to draw or propel itself and one or more standard railroad cars, unless such engine or machine shall be manned by a full crew of competent employees consisting of not less than one (1) conductor, or pilot and one person qualified to do flagging duties as provided by law.

§ 2. The term "Main track" as used herein means any continuous track over which through trains operate through and between stations.

§ 3. Any railroad company doing business in the State of North Dakota which shall operate or permit to be operated any self-propelled engine or machine in violation of section 1 of this act, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) for each offense and such company shall be liable in treble damages for any sickness, injury, loss, disability or accident resulting from or caused by any such violation, provided that in case of the disability of any member of said crew while the same is being operated upon the main track of any such railroad, it shall not be construed as a violation hereof to operate said vehicle to the nearest available side track with less than a full crew.

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

Approved March 7, 1933.

SALES

CHAPTER 222

S. B. No. 186—(Wog.)

CORRECTION DEFAULT CONDITIONAL SALES CONTRACT OR PURCHASE MORTGAGE

An Act permitting the purchaser or mortgagor in a conditional sales contract or purchase mortgage to make good the default within a reasonable time.

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

§ 1. In actions for the foreclosure of conditional sales contracts, or purchase price chattel mortgages, the court in its discretion, upon the application of the defendant, may make an interlocutory order fixing a reasonable time within which the purchaser or mortgagor shall make the default good, and pay all costs of suit to date. If the purchaser or mortgagor shall show to the court on or before