

which they are members or ex-members, as a military training school, armory and place of meeting, which corporation shall possess the powers and be subject to the duties and liabilities of other corporations, except as herein otherwise provided. The principal office of said corporation must be located at the town or city wherein the National Guard company for the benefit of whom the military training school is erected or maintained, is stationed.

§ 2. MANAGEMENT OF COMPANY.] The general management of such company shall be vested in a board of not less than three (3) or more than eleven (11) directors, each of whom shall during his term of office be a member of the National Guard of the State of North Dakota.

§ 3. POWER OF CORPORATION.] Such corporation may lease or buy real estate upon which to erect a military training school, armory or drill hall to be by the corporation erected or maintained, and may purchase or lease land upon which a rifle range may be maintained, all such land and the buildings thereon which are used for a military training school, drill hall, armory or rifle range, shall be exempt from taxation.

§ 4. ARTICLES OF INCORPORATION FILED.] The articles of incorporation of such corporation shall be filed and a certificate of incorporation issued by the Secretary of State without fee.

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 All acts and parts of acts inconsistent or in conflict with the provisions of this act are hereby repealed.

Approved March 3rd, 1897.

MUNICIPAL CORPORATIONS.

CHAPTER 102.

[H. B. 30.]

RELATING TO GOVERNMENT OF CITIES.

AN ACT to Amend Sections 2148, 2176, 2287, 2288, 2292, 2293, 2294, 2302, 2311, 2312, 2314, 2321, 2454 and 2496, and to Repeal Sections 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2286, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2303, 2304, 2305, 2306, 2307, 2455, 2456, 2457 and 2458 of the Revised Codes of North Dakota, relating to the Incorporation and Government of Cities.

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

§ 1. AMENDMENT.] That sections 2148, 2176, 2287, 2288, 2292, 2293, 2294, 2302, 2311, 2312, 2314, 2321, 2454 and 2496 of the Revised Codes of North Dakota be and the same are hereby amended so as to read as follows:

§ 2148. GENERAL POWERS OF CITY COUNCIL.] The city council shall have power:

1. To control the finances and property of the corporation.
2. To appropriate money for corporate purposes only, and provide for the payment of debts and expenses of the corporation.
3. To levy and collect taxes for general and special purposes on real and personal property.
4. To fix the amount, terms and manner of issuing and revoking licenses.
5. To borrow money on the credit of the corporation for corporate purposes and to issue bonds therefor, in such amounts and form and on such conditions as it shall prescribe, but shall not become indebted in any manner or for any purpose to an amount, including existing indebtedness, to exceed five per cent. of the taxable property therein as determined by the last preceding city assessment; *Provided*, that an incorporated city may by a two-thirds vote increase such indebtedness three per cent. on such assessed valuation beyond said five per cent. limit; and such city shall provide for the collection of a direct annual tax sufficient to pay the interest of such debt when it falls due, and also to pay and discharge the principal thereof within twenty years after contracting the same; *Provided, further*, that no bonds shall be issued under the provisions of chapter 28 of the political code, either for special or general purposes, except as hereinafter otherwise provided, unless at an election after twenty days notice in a newspaper published in the city, stating the purpose for which said bonds are to be issued and the amount thereof, the legal voters of said city shall by a majority vote determine in favor of issuing said bonds; *Provided further*, that the foregoing shall not prevent the raising of funds to pay for the establishment, construction and maintenance of a system of sewerage or the construction or purchase of waterworks for furnishing a supply of water to the inhabitants of such city or municipal corporation and the issuance of bonds therefor, as provided by section 2321 of the Revised Codes of North Dakota.
6. To issue bonds in place of, or to supply means to meet maturing bonds, or for the consolidation or funding of the same, or for the consolidation or funding of any floating indebtedness created by such city prior to the second day of November, 1889, and such bonds may be issued upon resolution of the city council at a general meeting upon a three-fourths vote of all the aldermen elect.
7. To lay out, establish, open, alter, widen, grade, pave or otherwise improve streets, alleys, avenues, sidewalks, wharves, parks and public grounds and vacate the same.
8. To plant trees on the same.
9. To regulate the use of the same.

10. To prevent and remove obstructions and encroachments upon the same.

11. To provide for the lighting of the same.

12. To provide for the cleansing of the same.

13. To regulate the openings therein for the laying of gas or water mains and pipes, and the building and repairing of sewers, tunnels and drains, and erecting gas or electric lights; *Provided*, however, that any company heretofore organized under the general laws of this state or any association of persons organized or which may be hereafter organized for the purpose of manufacturing illuminating gas or electricity to supply cities or the inhabitants thereof with the same, shall have the right by consent of the city council, subject to existing rights, to erect gas or electric light works and lay down pipes or string wires on poles in the streets or alleys of any city in this state, subject to such regulations as such city may by ordinance prescribe.

14. To regulate the use of sidewalks and all structures thereunder; and to require the owner or occupant of any premises to keep the sidewalks in front of or along the same, free from snow or other obstructions.

15. To regulate and prevent the throwing or depositing of ashes, offal, dirt, garbage or any offensive matter in, and to prevent injury to any street, avenue, alley or public ground.

16. To provide for and regulate crosswalks, curbs and gutters.

17. To regulate and prevent the use of streets, sidewalks and public grounds for signs, signposts, awnings, telegraph or telephone poles, horse troughs, racks, posting handbills and advertisements.

18. To regulate and prohibit the exhibition or carrying of banners, placards, advertisements or handbills in the streets or public grounds, or upon the sidewalks.

19. To regulate and prevent the flying of flags, banners or signs across the streets or from houses.

20. To regulate traffic and sales upon the streets, sidewalks and public places.

21. To regulate the speed of horses and other animals, vehicles, cars and locomotives within the limits of the corporation.

22. To regulate the numbering of houses and lots.

23. To name and change the name of any street, avenue, alley or other public place.

24. To permit, regulate or prohibit the locating, constructing or laying of a track of any horse or other street railway in any street, alley or public place; but such permission shall not be for a longer time than twenty years.

25. To provide for and change the location, grade and crossing of any railroad.

26. To require railroad companies to fence their respective railroads, or any portion of the same, and construct cattle guards,

crossings of streets and public roads and keep the same in repair within the limits of the corporation.

27. To require railroad companies to keep flagmen at railroad crossings of streets, and provide protection against injury to persons and property; to compel railroads to raise or lower their tracks to conform to any grade which may at any time be established by such city, and where such tracks run lengthwise of such street, alley or highway, to keep their tracks on a level with the street surface and so that such tracks may be crossed at any place on such street, alley or highway; to compel and to require railroad companies to make and keep open and to keep in repair ditches, drains, sewers and culverts along and under their tracks, so that filthy and stagnant pools of water cannot stand on their grounds or right-of-way and so that the natural or artificial drainage of adjacent property shall not be impeded.

28. To construct and keep in repair bridges, viaducts and tunnels, and to regulate the use thereof.

29. To construct and keep in repair culverts, drains, sewers, catch-basins, man-holes and cess-pools and to regulate the use thereof.

30. To license, tax, regulate, suppress and prohibit hawkers, peddlers, pawnbrokers, keepers of ordinaries, theatricals and other exhibitions, shows and amusements, ticket scalpers and employment agencies, and to revoke such license at pleasure.

31. To license, tax and regulate hackmen, draymen, omnibus drivers, carters, cabmen, porters, expressmen, watermen and all others pursuing like occupations, and to prescribe their compensation.

32. To license, regulate, tax and restrain runners for stages, cars, public houses or other things or persons.

33. To license, regulate, tax or prohibit and suppress billiard, bagatelle, pigeonhole, or any other tables or implements kept or used for a similar purpose in any place of public resort, pin alleys and ball alleys.

34. To suppress bawdy or disorderly houses, houses of ill fame or assignation within the limits of the city, and within one mile of the outer boundaries of the city; and also to suppress gaming and gambling houses, lotteries and all fraudulent devices and practices for the purpose of gambling or obtaining money or property; and to prohibit the sale or exhibition of obscene or immoral publications, prints, pictures or illustrations.

35. To establish markets and market houses and to provide for the regulation and use thereof.

36. To provide for the place and manner of sale of meats, poultry, fish, butter, cheese, lard, vegetables and all other provisions, and regulate the selling of the same.

37. To regulate the sale of bread in the city, and prescribe the weight and quality of the bread in the loaf.

38. To provide for and regulate the inspection of meats,

poultry, fish, butter, cheese, lard, vegetables, flour, meat and other provisions.

39. To regulate the inspection, weighing and measuring of lumber, firewood, coal, hay and any article of merchandise.

40. To provide for the inspection and sealing of weights and measures.

41. To enforce the keeping and use of proper weights and measures by vendors.

42. To regulate the construction, repairs and use of vaults, cisterns, areas, hydrants, pumps, sewers and gutters.

43. To regulate places of amusement.

44. To prevent intoxication, fighting, quarreling, dog fights, cock fights and all disorderly conduct.

45. To regulate partition fences and party walls.

46. To prescribe the thickness, strength and manner of constructing stone, brick and other buildings, and the construction of fire escapes therein.

47. To prescribe the limits within which wooden buildings shall not be erected, or placed, or repaired without permission, and to direct that all and any buildings within said limits, which shall be known as the fire limits, when the same shall have been damaged by fire, decay or otherwise, to the extent of fifty per cent. of the value, shall be torn down or removed, and to prescribe the manner of ascertaining such damage, and to provide for the removal of any structure or building erected contrary to such prescription, and declare each day's continuance of such structure or building a separate offense, and prescribe penalties therefor.

48. To prevent the dangerous construction and condition of chimneys, fire-places, hearths, stoves, stove pipes, ovens, boilers and apparatus used in and about any building or manufactory, and to cause the same to be removed or placed in a safe condition when considered dangerous; to regulate and prevent the carrying on of manufactories dangerous in causing and promoting fires; to prevent the deposit of ashes in unsafe places; and to cause all such buildings and enclosures as may be in a dangerous state to be put in a safe condition.

49. To erect engine houses and provide fire engines, hose carts, hooks and ladders, and other implements for the prevention and extinguishment of fires, and provide for the use and management of the same by voluntary fire companies or otherwise.

50. To regulate and prevent the storage of gunpowder, tar, pitch, resin, coal oil, benzine, turpentine, hemp, cotton, nitro glycerine, petroleum, or any of the products thereof, and other combustible or explosive material, and the use of lights in stables, shops and other places, and the building of bonfires; also to regulate and restrain the use of fireworks, firecrackers, torpedoes, Roman candles, sky rockets and other pyrotechnic displays.

51. To provide for the inspection of steam boilers.

52. To establish and erect a city jail, house of correction and

work-house for the confinement and reformation of disorderly persons, vagrants, tramps and idle persons and persons convicted of violating any city ordinance, and make rules and regulations for the government of the same, and appoint necessary jailers and keepers.

53. To use the county jail for the confinement or punishment of offenders, subject to such conditions as are imposed by law and with the consent of the board of county commissioners; and to regulate the police of the city, and to pass and enforce all necessary police ordinances.

54. To prevent and suppress riots, routs, affrays, noises, disturbances and disorderly assemblies in any public or private place.

55. To prohibit and punish cruelty to animals.

56. To restrain and punish vagrants, mendicants and prostitutes.

57. To declare what shall be a nuisance and to abate the same, and impose fines upon persons who may create, continue or suffer nuisances to exist.

58. To erect and establish hospitals and medical dispensaries, and control and regulate the same.

59. To do all acts and make all regulations which may be necessary or expedient for the promotion of health or the suppression of disease.

60. To establish and regulate cemeteries within or without the corporation and acquire lands therefore by purchase or otherwise and cause cemeteries to be removed, and prohibit their establishment within one mile of the corporation.

61. To regulate, restrain and prohibit the running at large of horses, cattle, swine, sheep, goats, geese and dogs.

62. To direct the location and regulate the management and construction of packing houses, renderies, bone factories, slaughter houses, soap factories, foundries, livery stables and blacksmith shops within, or within one mile of the limits of the corporation.

63. To prohibit any offensive or unwholesome business or establishment within, or within one mile of the limits of the corporation.

64. To compel the owner of any grocery, celler, stable, pigsty, privy, sewer or other unwholesome or nauseous house or place to cleanse, abate or remove the same, and to regulate the location thereof.

65. To provide for the taking of the city census, but no city census shall be taken oftener than once in three years.

66. To provide for the erection and care of all public buildings necessary for the use of the city.

67. To extend, by condemnation or otherwise, any street, alley or highway, over or across, or to construct any sewer under or through any railroad track, right-of-way or land of any railroad company, within the corporate limits.

68. The city council shall have no power to grant the use of or right to lay down any railroad tracks in any street of the city to any steam, electric or horse railway company except upon a petition of the owners of the land representing more than one-half of the frontage of the street, or so much thereof as is sought to be used for railroad purposes.

69. To tax, license and regulate auctioneers, lumber yards, public scales, money changers and brokers.

70. To prevent and regulate the rolling of hoops, playing of ball, flying of kites, or any other amusement or practice having a tendency to annoy persons passing in the streets or on the sidewalks, or to frighten teams or horses.

71. To regulate or prohibit the keeping of any lumber yard and the placing or piling or selling of any lumber, timber, wood or other combustible material within the fire limits of the city.

72. To provide by ordinance that all the paper, printing, stationery blanks, fuel and all the supplies needed for the use of the city shall be furnished by contract let to the lowest responsible bidder.

73. To tax, license and regulate second-hand and junk stores and to forbid their purchasing or receiving from minors, without the written consent of their parents or guardians, any article whatever, and to prescribe punishment for the violation thereof.

74. To purchase, erect, lease, rent, manage and maintain any system or part of system of waterworks, hydrants and supply of water, telegraphing fire signals, or fire apparatus that may be of use in the prevention and extinguishment of fires, and to pass all ordinances, penal or otherwise, that shall be necessary for the full protection, maintenance, management and control of the property so leased, purchased or erected.

75. To redistrict the city into wards and prescribe the boundaries thereof, whenever a census of the city shall show the population to be large enough to require two aldermen more than are in the council at the time of taking such census.

76. To pass all ordinances, rules and make all regulations proper or necessary to carry into effect the powers granted to cities, with such fines or penalties as the city council shall deem proper, *Provided*, that no fine or penalty shall exceed one hundred dollars, and no imprisonment shall exceed three months for one offense.

§ 2176. DUTIES OF.] The city treasurer shall receive all moneys belonging to the city, including all taxes, license money, fines and special assessments, and keep accurate and detailed accounts thereof, in the manner provided in this chapter, or as the city council may from time to time direct. He shall have a settlement with the auditor at the end of each month and turn over all warrants, interest coupons, bonds or other evidences of indebtedness of the city, which may have been redeemed by him during the month, taking the receipt of the auditor therefor, and all such

warrants, orders, or other evidences of indebtedness shall be cancelled by him, and have written or stamped thereon the date of their payment or redemption.

§ 2287. INTEREST.] All assessments made in accordance with the provisions of this article shall become delinquent if not paid on the expiration of thirty days after the first publication of the assessment roll, and after becoming delinquent shall draw interest at the same rate as delinquent taxes under the laws of the state.

§ 2288 ASSESSMENTS—HOW MADE—PENALTY FOR NON-PAYMENT.] After the estimate provided for in section 2280 of the Revised Codes of North Dakota shall have been approved, the city auditor shall forthwith make or cause to be made an assessment roll, describing the property so assessed, with the name of the owner, if known, and the amount assessed to each lot, piece or parcel of ground as approved by the city council, and attach thereto a copy of the resolution of the city council approving the same and certify that the same is correct, and file the same with the county treasurer for collection, taking his receipt therefor, who shall proceed to collect the same in the manner provided by law for the collection of city taxes. The city auditor shall also forthwith publish said assessment roll three successive weeks, once in each week, in the official newspaper of the city, together with a notice that a penalty of ten per cent. will be added thereto, if the same is not paid within thirty days after the date of the first publication, stating the time when such penalty will accrue, and all such special assessments remaining unpaid, together with accrued penalty and interest shall be collected, enforced and paid over in the same manner as city taxes.

§ 2292 COUNCIL CONTRACT FOR SIDEWALKS—WHEN.] If such work is not done and the sidewalk not built, repaired or rebuilt in the manner and within the time prescribed in said notice, the city council may order the same to be done by such person as they may contract with under the direction of the city engineer, or street commissioner in cities having no city engineer, at the expense of the lot or parcel of land adjoining said sidewalk, and said expense shall be assessed upon the lot or parcel of land properly chargeable therewith by the city engineer, or street commissioner in cities having no city engineer, and returned by him to the city council, and the city auditor shall cause to be published said assessment of the city engineer, or street commissioner in cities having no city engineer, together with a notice of the time and place when the city council will meet to approve the same, to be published once in the official newspaper of the city at least ten days prior to the meeting of the city council to approve the same.

§ 2293. ASSESSMENT FOR SIDEWALKS—PENALTY FOR NON-PAYMENT.] Within ten days after said assessment shall have been so approved the city auditor shall make or cause to be made an

assessment roll, describing the property so assessed, with the name of the owner, if known, and the amount assessed to each lot, piece or parcel of ground as approved by the city council and attach thereto a copy of the resolution of the city council approving the same and certify that the same is correct and file the same with the county treasurer for collection, taking his receipt therefor, who shall proceed to collect the same in the manner provided by law for the collection of city taxes. The city auditor shall also forthwith publish said assessment roll three successive weeks, once in each week, in the official newspaper of the city, together with a notice that a penalty of ten per cent will be added thereto if the same is not paid within thirty days after the date of the first publication, stating the time when such penalty will accrue, and all such special assessments, remaining unpaid, together with accrued penalty and interest at the same rate as delinquent taxes under the laws of the state, shall be collected, enforced and paid over in the same manner as city taxes.

§ 2294. COUNCIL MAY PAY FOR REPAIRING SIDEWALKS—WHEN—COUNTY TREASURER TO COLLECT ALL SPECIAL ASSESSMENTS.] Whenever it is necessary to repair sidewalks, if the amount of the repairs does not exceed two dollars for each fifty feet of sidewalk, the cost of such repairs shall be paid out of the general fund of the city, and whenever such repairs shall exceed the sum of two dollars and not more than ten dollars for each fifty feet of sidewalk, such repairs may be made by the city under the supervision of the street commissioner, who shall first give notice in writing to the owner or occupant of any lot or parcel of land adjoining such sidewalk, to repair the same, at his own expense, within not less than twenty-four hours after the service of such notice. Such notice shall state what repairs are necessary and contain a description of the lot or parcel of land adjoining the sidewalks on which such repairs are necessary. If the owner or occupant fails to make such repairs within the time specified in such notice, the street commissioner shall forthwith make all necessary repairs, keeping an accurate account of the expense thereof, and shall certify to the city auditor the amount of such expense with a description of the lot or parcel of land to which the same is properly chargeable. The city auditor shall thereupon report the matter to the city council for its approval and publish a notice setting forth the facts, certified by the street commissioner, for the time and in the manner provided in section 2292. Upon the approval of the acts of the street commissioner, the city auditor shall make or cause to be made an assessment roll in the manner provided in section 2293, and thereafter the same proceedings shall be had as are in said last mentioned section provided. The county treasurer shall collect and enforce the collection of all special assessments, together with the penalty and interest thereon, if any, in the same manner as other taxes, and shall pay over to the city treasurer, on demand, on the first of each month,

all sums so collected during the preceding month and any balance that may be due on the collections of previous months, retaining one per cent thereof as his commission for collecting the same, and shall forthwith notify the city auditor of the amount so paid over, giving a description of the real property upon which the same is paid and the amount of special assessments paid thereon. The filing of a special assessment roll with the county treasurer by the city auditor shall be full and sufficient authority for the collection by the county treasurer of all special assessments therein contained. As soon as any special assessments become delinquent the county treasurer shall deliver to the county auditor the assessment roll containing such special assessments, and the county auditor shall thereupon extend the same upon the tax roll of the county in the same manner as taxes are extended, and the collection of the same shall be enforced in the same manner and by the same remedies as the collection of delinquent taxes is enforced.

§ 2302. DELINQUENT TAX SALES—METHOD OF, AND DEED ISSUED THEREUNDER.] If the real property against which any assessment is levied is sold to enforce the collection of a special assessment which has become delinquent, the sale shall be made by the same officer, upon like notice, subject to the same provisions in relation to redemption, and the same record thereof shall be kept by the officer making the sales as in cases of sales of real property for delinquent taxes, but if any real property is subject for sale for delinquent taxes and also for delinquent special assessments, it shall be sold separately for each and a separate certificate of sale shall be issued for the delinquent taxes and for the delinquent special assessments, although the purchaser in each case may be the same, and if no redemption is made within the time provided by law separate deeds shall be issued. The tax certificate and tax deed, in case no redemption is made, issued upon any sale of real property for delinquent special assessments shall be in substantially the same form as those issued upon a sale of real property for delinquent taxes, with such changes as may be necessary to indicate that the sale was for a delinquent special assessment instead of for a delinquent tax, and to show the purpose for which such special assessment was made and the date when the same was made.

§ 2311. MAYOR AND AUDITOR TO SIGN BONDS AND CONTRACTS.] All bonds of the city and all contracts and conveyances shall be signed by the mayor and countersigned by the auditor who shall affix the seal of the city thereto and keep an accurate record of all bonds issued, in a book to be provided for that purpose.

§ 2312. ASSESSMENT FOR WATERWORKS.] The city council of any city owning and operating a system of public waterworks and hydrants for the purpose of supplying its inhabitants with water and with fire protection shall have the power, for the purpose of equalizing the expenses of operating such system, to

make an annual assessment for each fiscal year, not exceeding one-half of the expense of operating such system, on the property abutting upon the streets and avenues of the city in which the mains of said system are laid and operated and on all property within a distance of six hundred feet, exclusive of streets, from said mains, and to fix and determine penalties for the non-payment of any such special assessments; *Provided*, that nothing herein contained shall be construed as making it obligatory upon the city council to raise any portion of the funds necessary for operating such system by special assessment, and *Provided further*, that any portion less than one-half of the sum needed for operating such system, may, at the discretion of the city council, be raised by such assessment, and such assessment shall in all cases be exclusive and independent of water rates or rents collected from water consumers.

§ 2314. BENEFITS—HOW DETERMINED.] The city auditor, the city treasurer and the city assessor shall constitute a board for the purpose of assessing against each lot or parcel of land subject to special assessment under the provisions of section 2312, and such special assessment shall be filed with the city auditor and be by him presented to the city council for its approval at the first meeting held thereafter. The city auditor shall cause notice of the time and place, when and where the city council will meet to approve the same, to be published once in the official newspaper of the city, at least ten days prior to the meeting of the city council to approve the same, at which meeting any person complaining of such assessment shall be heard and any errors in the same corrected. After such special assessment shall be approved by the city council, it shall be proceeded with by the proper officers in the manner provided by law for special assessments for other local improvements.

§ 2321. BONDS—METHOD OF PAYMENT.] The city council for the purpose of raising funds to pay for the establishment, construction and maintenance of such system of sewerage and for the purpose of constructing or purchasing waterworks for furnishing a supply of water to the inhabitants of such city, shall have power to issue the bonds of the city to an amount not exceeding four per cent. of the assessed valuation of the taxable property of such city as determined by the last preceding assessment, without regard to the existing indebtedness of such city, such bonds to be payable in not exceeding twenty years from the date thereof, drawing interest semi-annually at not exceeding seven per cent. per annum, payable either in New York City or in the city issuing the same. Such bonds shall be signed and executed as provided in Article 17 of chapter 28 of the Political Code; *Provided*, that at no time shall there be such bonds outstanding or unpaid to an amount equal to more than four per cent. of the assessed valuation of the taxable property of such city as determined by the last preceding assessment, and such bonds shall not be negotiated for less than par.

§ 2454. POWER TO OPEN, IMPROVE AND VACATE STREETS AND ALLEYS.] Any city, town or village is authorized and empowered, through its proper municipal officers, to lay out, open, grade and otherwise improve the streets, alleys, sewers, sidewalks and crossings therein and to vacate the same. When it becomes necessary in order to make any of the improvements herein specified, to take or damage private property, such municipal corporation may exercise the right of eminent domain for any public use authorized by law in the manner provided in chapter 35 of the Code of Civil Procedure. In case private property is taken or damaged for a purpose not of direct benefit to the entire municipal corporation, the damages assessed by the jury shall be paid by the owners of real property who are to be directly benefited by the proposed local improvement, and the jury shall assess the amount to be paid by each owner of real property benefited, but the action shall be conducted by and in the name of the municipal corporation.

§ 2496. DUTY OF COUNTY TREASURER.] The county treasurer of such county shall thereupon collect such taxes, together with the interest and penalty thereon, if any, in the same manner as the general taxes for that year, and shall pay over to the city treasurer of such city all sums so collected as fast as collected, and shall take the city treasurer's voucher therefor; and the county treasurer shall retain from the moneys collected for each city, as a fee to be turned over to the county, one per cent. of the amount so collected.

§ 2. REPEAL.] That sections 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2286, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2303, 2304, 2305, 2306, 2307, 2455, 2456, 2457 and 2458 of the Revised Codes of North Dakota be and the same are hereby repealed.

§ 3. EMERGENCY.] *Whereas*, an emergency exists in that there is no existing law adequately regulating the matter of making and collecting special assessments in cities, therefore this act shall be in force from and after its passage and approval.

Approved March 9th, 1897.