

of the city council ; and provided, further, that when such system of sewerage is established, all measures necessary for the construction of sewers, as a part of that system, may be taken by a vote of the majority of the city council ; and provided, further, that when it shall be necessary to conduct the sewerage beyond the city limits, the city council shall have power, by purchase or condemnation proceedings, to acquire private property over which to construct such sewer, and the cost thereof and of building such sewer over the same shall be included in the cost of such system of sewerage and in the special assessment levied therefor ; and provided, further, that any city may empty or discharge its sewerage into any river, but where a dam on such river is located within the corporate limits of any city, the sewerage shall in such cases be discharged below such dam ; and provided, further, that in case there is no river accessible into which to discharge such system of sewerage, the same may be discharged into a lake, coulee or slough, and in any of the latter cases a septic tank system shall be employed for sewerage from closets, kitchen-sinks or anything carrying objectionable matter, prior to discharging same into the lake, coulee, slough or other outlet, but that any drainage from basements, cellars or surface may be discharged direct into the lake, coulee, slough or other outlet, prior to emptying into the main sewer system, but that any drainage from basements, cellars or surface may be admitted direct into the main sewer system without first passing through the septic tank system.

§ 2. EMERGENCY.] An emergency is hereby declared to exist, and this act shall take effect and be in force from and after its passage and approval.

Approved March 8, 1907.

STATE EXAMINER

CHAPTER 230.

[S. B. No. 113—Regan]

STATE EXAMINER.

AN ACT to Amend Section 140 of the Revised Codes of 1905, Relating to the Appointment and Qualifications of the State Examiner.

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

§ 1. AMENDMENT.] Section 140 of the revised codes be and the same is hereby amended and re-enacted so as to read as follows:

§ 140. APPOINTMENT. QUALIFICATIONS.] There shall be a state examiner who shall be appointed by the governor and confirmed by the senate, who shall hold his office for the term of two years, and until his successor has been appointed and qualified, unless sooner removed as herein provided. The state examiner shall be a skilled accountant, an expert in the theory and practice of bookkeeping, and shall not be an incumbent of any public office in the state, or of any county, municipality or public institution therein, and shall not own, hold or control any stocks, capital or bonds, or the office of trustee, assignee, officer, agent or employe of any banking, annuity, safe deposit, trust company, moneyed or savings institution or corporation, or of any corporation engaged in the business of guaranteeing or insuring the fidelity or faithful performance of the duties of, or the solvency of public officers or of public depositories, created under the laws of North Dakota, or created under the laws of any other state, or under the laws of the United States. In case of vacancy by death, removal, resignation or otherwise, the governor shall fill the same by appointment. The governor is authorized to remove from office any state examiner who violates, or fails faithfully to discharge the duties of his office, or becomes disqualified under the provisions of this section, and to appoint his successor, who shall hold office until the end of the next legislative assembly, unless sooner removed as above provided.

Approved March 19, 1907.

STATE FLOWER

CHAPTER 231.

[S. B. No. 134—Hanna]

STATE FLOWER NAMED.

AN ACT Establishing and Naming a State Flower for the State of North Dakota.

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

§ 1. NAMED.] On and after the passage of this act the state floral emblem of North Dakota shall be the wild prairie rose (*rosa blanda* or *arkansana*).

§ 2. EMERGENCY.] An emergency is hereby declared to exist and this act shall take effect and be in force from and after its passage and approval.

Approved March 7, 1907.