

MEMORIAL DAY

CHAPTER 190.

[S. B. No. 59—Davis]

OBSERVANCE OF MEMORIAL DAY.

AN ACT Prohibiting Ball Games and Other Sports Until Two O'Clock P. M.
Be It Enacted by the Legislative Assembly of the State of North Dakota:

§ 1. It shall be unlawful to engage in ball games, horse racing or sports, or any entertainment that will interfere with the proper observance of the day which is set apart as Memorial Day, prior to the hour of two o'clock p. m. of said day.

Any violation of this act shall be punishable by a fine of not less than five dollars or more than one hundred dollars, or by imprisonment in the county jail not to exceed thirty days, in the discretion of the court.

Approved March 3, 1911.

MORTGAGES

CHAPTER 191.

[S. B. No. 356—Kennedy]

RENEWAL OF MORTGAGES.

AN ACT To Amend Article 3 of Chapter 75 of the Civil Code of North Dakota, being Section 6186 of the Revised Codes of North Dakota of 1905.

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

§ 1. That article 3 of chapter 75 of the civil code of North Dakota, being section 6186 of the revised codes of North Dakota of 1905, be, and the same is hereby amended and re-enacted to read as follows:

§ 6186. HOW RENEWED.] A mortgage of personal property ceases to be valid as against creditors of the mortgagor, and subsequent purchasers or incumbrancers in good faith after the expiration of three years from the filing thereof, except as hereinafter provided, unless within ninety days next preceding the expiration of such term a copy of the mortgage, and a statement of the

amount of existing debt for which the mortgagee or his assignee claims a lien sworn to and subscribed by him, his agent or attorney, are filed anew in the office of the register of deeds in the county in which the mortgage was originally filed, and in like manner the mortgage and statement of debt must be again filed every three years or it ceases to be valid as against the parties above mentioned; provided, that mortgages of the personal property belonging to street car companies, telephone companies, and telegraph companies, need not be renewed; and, provided further, that trust deeds or other trust conveyances or instruments executed to secure bonds of corporations need not be renewed.

§ 2. EMERGENCY.] Whereas, an emergency exists, in that trust deeds, trust conveyances or trust instruments executed to secure bonds of corporations now require renewal in the same manner as chattel mortgages, therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 3, 1911.

CHAPTER 192.

[S. B. No. 331—Stoelc of Renville]

LIMITATIONS OF PROCEEDINGS TO FORECLOSE REAL ESTATE MORTGAGES.

AN ACT To Amend Section 6796, Revised Codes of 1905, Relating to Limitations of Actions or Proceedings to Foreclose Real Estate Mortgages.

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

§ 1. AMENDMENT.] That section 6796 of the revised codes of North Dakota be, and is hereby amended to read as follows:

§ 6796. EXCEPTION. ABSENTEE.] If, when the cause of action shall accrue against any person, he shall be out of the state, such action may be commenced within the terms herein respectively limited after the return of such person into the state; and, if after such cause of action shall have accrued such person shall depart from and reside out of this state and remain continuously absent therefrom for the space of one year or more, the time of his absence shall not be deemed or taken as any part of the time limited for the commencement of such action; provided, however, that the provisions of this section shall not apply to the foreclosure of real estate mortgages by action or otherwise; provided, further, that action against trustees acting under the town-site laws of the United States and this state, must be commenced within two years of the date when the cause of action accrued; provided, further, that as to causes of action now existing, this section shall be effective on and after January 1st, 1912.

Approved March 6, 1911.