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# CITIES AND VILLAGES

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## CHAPTER 71.

[H. B. No. 287—Wilson.]

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### CONNECTIONS WITH SEWER AND OTHER MAINS, CABLES AND CONDUITS.

An Act to Amend and Re-enact Section 3740 of the Political Code of the State of North Dakota, Compiled Laws of 1913, Relating to Cities, Providing for Connections with Sewer and Other Mains, Cables and Conduits.

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

§ 1. AMENDMENT.] That Section 3740, Compiled Laws of the State of North Dakota of 1913, be and the same is hereby amended and re-enacted to read as follows:

§ 3740.] CONNECTIONS WITH SEWER AND OTHER MAINS, WIRE CABLES AND CONDUITS.] The City Council or City Commission may, by resolution, require the owners of all property abutting on any street, avenue or alley in which water mains, gas mains, sewers, steam or other pipes, under-ground wire cables or conduits, or any of them, shall have been previously laid and constructed, or, at the time of laying and constructing the same, or, as a part of the contract for laying and constructing any such mains, sewers, pipes, cables or conduits, to construct or cause to be constructed the sewer, water, gas, steam and other service connection pipes or wires in such street, avenue, or alley, at the expense of and as a charge the property fronting thereon, from and connected with the sewer, water, gas, steam or other mains, cables or conduits in said street, avenue or alley to a point inside of the curb line on either or both sides of such street, avenue, or alley, at such intervals along the whole length thereof as may be necessary to supply and serve each lot, part of lot or parcel of land in accordance with the city ordinance governing the laying and construction of such connections.

Upon the adoption of such resolution the city auditor shall publish in the official newspaper of the city twice, once in each week for two successive weeks, a notice to said owner or occupant, setting forth what work is to be done, and the time within which the same is to be done and completed. Such notice may be general as to the owner, but must be specific as to the description of the lot or parcel of land in front, side or rear of which the improvement is to be made and which the improvement affects.

If such work is not done in the manner and within the time prescribed in said notice the city council or commission shall order the same to be done by such person as they may have contracted with therefor, under the direction of the city engineer, or street

commissioner in cities having no engineer, at the expense of the lot or parcel of land adjoining such improvement or service connection, and such expense, including the expenses of all notices in connection with such work, the assessment therefor, and any other expenses incurred for such work, shall be assessed against the lot or parcel of land properly chargeable therewith by the city engineer, or by the street commissioner in cities having no city engineer; and such assessment shall be returned by him and filed in the office of the city auditor, and the city auditor shall cause to be published the said assessment, together with a notice of the time and place when and where the city council or commission will meet to approve the same; and said notice shall be published once in the official newspaper of the city at least ten days prior to the meeting of the city council or commission at which such assessment is approved.

The city council or commission after the adoption of such resolution declaring the necessity of making the service connections above referred to, shall by resolution, direct the city engineer to prepare plans and specifications for the same and file with the city auditor and shall direct the city auditor, to advertise for bids for the laying and construction of such connections in accordance with the plans and specifications for the construction of the same, which plans and specifications shall be filed with the city auditor by the city engineer; and such bids shall each be accompanied by a certified check in the sum of \$500.00 to guarantee the entering into the contract should the same be awarded to him as such bidder. Bids shall be received by the city council or commission and the contract awarded to the lowest responsible bidder. The successful bidder shall give a bond in the sum of \$1,000.00 executed by such bidder and a surety company, authorized to do business within the state, as surety, or by two acceptable freeholders of the state, who shall justify as such sureties as required in arrest and bail, and the aggregate of such justification shall equal the amount of such bond, and such bond shall be conditioned that in case such bid is accepted and such contract awarded to such bidder he will well and faithfully perform the work bid for, and fulfill the guarantee in accordance with the terms of and within the time provided for in such contract, and pursuant to the plans and specifications for such work on file in the city auditor's office, and pay for all labor and material used in such work, and that in the case of default on the part of such bidder to perform such work or fulfill the guarantees, as provided in said contract, the sum named in said bond shall be taken and held to be fixed and liquidated damages in favor of said city; and that the full amount thereof may be recovered from such bidder and his sureties in an action by the city against them on such bond. Such bond, when the same shall have been approved by the city council or commission and filed in the office of the city auditor, shall thereupon be and remain in full force and effect.

Upon the award of the contract the checks of all unsuccessful bidders shall be returned to them, and upon the filing of his con-

tract and acceptable bond, as aforesaid, the check of the successful bidder shall be returned to him. The city council or commission shall have the right to reject any and all bids for work to be done under this section if, in its opinion, the interests of the city will be best subserved by so doing, and re-advertise for further bids, but if all such bids are not rejected the contract shall then be awarded to the responsible bidder whose bid is the lowest upon the basis of cash payment therefor; provided, such bidder shall have complied with the foregoing requirements and furnished the bond hereinbefore provided for.

All contracts entered into for any work provided for in this section shall be entered into in the name of the city and shall be executed on the part of the city by the mayor or president of the commission thereof, and countersigned by the auditor with the corporate seal of the city affixed, and when signed by the contractor shall be filed in the office of the city auditor.

Such contract shall require the work to be done thereunder to be done pursuant to the plans and specifications therefor on file in the office of the city auditor, and subject to the approval of the city engineer, who shall supervise and inspect such work during its progress, and there shall be reserved in each contract the right of the city council or commission, in case of an improper construction of such work, to suspend work thereon at any time, and to re-let the contract therefor, or order a reconstruction of said work, or any part thereof, improperly done. Each contract so entered into shall state the time on or before which such work must be completed, the period of time for which the work is guaranteed as to workmanship and materials and must state from what fund the amount to be paid thereon by the city is to be paid, and that the consideration of such contract is payable only in warrants drawn on such fund, and that such city assumes and incurs no general liability under such contract.

In case the contractor to whom any such contract shall be let shall properly perform the work therein designated, the city council or commission may from time to time, in its discretion, as the work progresses, pay such contractor, upon an estimate made by the city engineer of the amount already earned thereunder, eighty-five per cent of the amount shown by such estimate to have been so earned, in warrants drawn on the fund from which the same is to be paid.

All money collected from special assessments for laying and constructing sewer and water and other connections provided for under this section shall be kept in a fund called "Sewer and Water Connections Special Assessment Fund" and warrants shall be drawn on such fund for the payment of the cost of all such connections and for nothing else. All such sewer, water and other connection special assessments shall be paid in a single payment for the cost thereof, as herein provided, and the city auditor shall so certify such assessments, as returned by the city engineer and filed in his office, up to the county treasurer for collection with the taxes

against the lot or parcel of land so assessed, in the same manner as is provided in the case of other special assessments for improvements made by the city.

Approved March 12, 1917.

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## CHAPTER 72.

[H. B. No. 95—Lang.]

### CONSTRUCTION AND REPAIR OF CURBING.

An Act Providing for the Construction and Repair of Curbing in Cities and Providing for the Letting of Contracts and the Manner of Enforcing Payment for Curbing Built.

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

§ 1. SPECIFICATIONS FOR CURBING.] The city council or city commissioners may by resolution or ordinance prescribe the plans and specifications for the size of curbing and may establish the widths between same in different locations and shall determine and prescribe the kind and quality of material of which, and the manner in which they shall be constructed, having regard to the business and the amount of travel in the vicinity of each, and such resolution or ordinance shall be specific, and all contracts for the construction of curbing shall be let with reference to the same.

§ 2. BUILDING BY CITY.] Such work shall be done and the curbing built, repaired or rebuilt, in the manner and within the time prescribed by the city council or commission and they shall order the same to be done by such person as they may have contracted with therefor, 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 fronting on or adjoining such curbing, and such expense, including the expenses of all notices in connection with such work and the assessment therefor, and any other expense incurred for such work shall be assessed upon the lot or parcel of land properly chargeable therewith, by the city engineer, or by the street commissioner in cities having no city engineer, and such assessment shall be returned by him, and filed in the office of the city auditor, and the city auditor shall cause to be published the said assessment, together with a notice of the time and place when and where the city council will meet to approve the same, and said notice shall be published once in the official newspaper of the city at least ten days prior to the meeting of the city council to approve such assessment.

§ 3. LETTING CONTRACTS FOR CURBING.] The city auditor shall, on or before the fifteenth day of March in each year, advertise in the official newspaper of the city twice, once in each week for two consecutive weeks, for bids for the construction of the various kinds of curbing in the city during the ensuing year, in accordance

with the plans and specifications, the resolution or ordinance provided for in Section 1, and such bids shall be received and opened and if accompanied by a check and bond as therein provided, the contract shall be awarded to the lowest responsible bidder, at the regular meeting of the city council, or city commission in April and contracts may be awarded to different bidders for the different kind of curbing required. But if the city auditor shall have failed to advertise for bids as aforesaid before the fifteenth day of March, and if the city council or city commission shall have failed to award contracts at their regular meetings in April, upon such showing being made and published together with notice for bids for two consecutive weeks prior to any regular meeting of the city council or city commission, the city council or city commission may thereupon at any such regular meeting after such publication, award such contracts to the best bidders for the different kinds of curbing required.

§ 4. REPAIRS.] Whenever the necessary repairs on curbing will not, in the judgment of the street commissioner, exceed in cost the sum of ten dollars for each twenty-five feet in front of land belonging to the same owner, he shall notify the city auditor therefor, and the city auditor shall forthwith prepare a notice in writing, which may be general as to the owner of the lot or parcel of land, but describing it specifically, requiring him to repair such curbing to the satisfaction of the street commissioner, within a time to be fixed in such notice not exceeding three days. The auditor shall deliver such notice to the street commissioner, who shall forthwith serve it by delivering a copy thereof to the occupant or owner of the parcel of land, if the same is occupied, or by leaving such notice at a dwelling house upon such lot or parcel of land with some person over the age of fourteen years residing therein, or if such lot or parcel of land is not occupied, by posting a copy of such notice in a conspicuous place thereon or immediately in front thereof, and if such curbing is not so repaired within the time fixed in such notice, the street commissioner, shall as soon as practicable, repair the same and certify the cost thereof, with his return of service of such notice to the city auditor; and the cost of such repairs shall be paid out of the "curbing special assessment fund."

§ 5. DUTY OF AUDITOR.] The city auditor shall keep in his office a book called "curbing repair special assessment book" and shall enter such cost so certified by the street commissioner therein, as a special assessment against the lot or parcel of land fronting on or adjoining such curbing, with the name of the owner, known to him, and at its regular meeting in September of each year, the city council shall review all assessments and hear all complaints against the same, and approve the same as finally adjusted.

§ 6. CURBING SPECIAL ASSESSMENT FUND.] All moneys collected from special assessments for building or repairing curbing shall be kept in a fund to be called "Curbing Special Fund" and warrants shall be drawn on such fund for the payment of the costs

of building and repairing all curbing, and the city shall in no case be liable on any contract for the building or repairing of curbing in any sum whatsoever, to be paid by moneys raised by general taxation.

All such curbing special assessment warrants shall be payable as specified and in such amounts as in the judgment of the city council or city commissioners the taxes and assessments will provide for, which said warrants shall bear interest at the rate of not to exceed six per cent per annum, payable annually, and may have coupons attached representing each year's interest. Such warrants shall have stated upon their faces for what purpose they are issued and the further fact from which fund they are payable and shall be signed by the mayor or president and countersigned by the city auditor under the seal of the city and be in denominations of not more than one thousand dollars, each such warrants may be used in making payments on contracts for making such improvements or be sold for cash at not less than par value thereof and the proceeds thereof credited to such fund, and used for paying such improvements. It shall be the duty of the city treasurer to pay such warrants and interest coupons as they mature and are presented for payment out of the sidewalk and curbing special assessment fund, and to cancel the same when paid.

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

Approved March 12, 1917.

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## CHAPTER 73.

[H. B. No. 60—Walton.]

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### ELECTRIC LIGHT PLANTS AND WATER SYSTEMS.

An Act to Authorize and Empower Cities Operating Municipal Electric Light Plants or Water Systems to sell Surplus Electricity or Water to Supply Manufacturing Plants and Other Buildings Outside of the City Limits.

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

§ 1. That any city in this state owning and operating its own electric lighting system or waterworks, whenever in the judgment of the city commission or council it is deemed advisable, may enter into contracts with persons or corporations maintaining manufacturing plants, residences, or other buildings outside of the city limits, to furnish such plants or buildings with electricity or water if it can be furnished from the surplus remaining after supplying the needs of the city and its inhabitants.

§ 2. In case any city commission or council determines to so furnish electricity or water outside the city limits, it shall be done by contract authorized by the city commission or council and executed on its part by the president of the commission or council,

and the city auditor and by the customer or customers to be supplied, and in no case shall any such contract be authorized or entered into, at any rate or price for electricity or water which shall discriminate against the inhabitants of the city or which shall impose any direct tax burden upon the taxable property in such city or in such amount as will in any manner interfere with the ability of the city to provide adequate electricity or water for its own use and the use of the inhabitants thereof.

Approved March 10, 1917.

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## CHAPTER 74.

[H. B. No. 294—Cole.]

### ORDINANCES UNDER COMMISSION SYSTEM OF GOVERNMENT.

An Act to Amend and Re-enact Section 3799 of the Compiled Laws of North Dakota for 1913, Relating to Ordinances Under the Commission System of Government.

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

§ 1. AMENDMENT.] Section 3799 of the Compiled Laws of North Dakota for 1913, is hereby re-enacted and amended to read as follows:

§ 3799. ORDINANCES.] The board of city commissioners of such city shall be vested with the power and charged with the duty of making all laws or ordinances not inconsistent with the constitution and laws of this state, touching every object, matter and subject within the local government instituted by this chapter. The title and penalty clause of every ordinance imposing any penalty, fine, imprisonment or forfeiture for a violation of its provisions shall, after the passage thereof, be published in one issue of the official paper and proof of such publication by the printer or publisher of such newspaper, made before any officer authorized to administer oaths and filed with the clerk of the board of commissioners or any other competent proof of such publication shall in all courts be conclusive evidence of the legal publication and promulgation of such ordinances. Ordinances passed by the board of commissioners and requiring publication, as herein provided, shall take effect and be in force from and after publication of the title and penalty clause of such ordinance, unless it be otherwise expressly provided for in such ordinance. Ordinances passed by the board of commissioners and not requiring publication, as herein provided, shall take effect and be in force from and after their passage unless it shall therein otherwise expressly be provided.

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

Approved March 10, 1917.

## CHAPTER 75.

[H. B. No. 23—Noltimier.]

## POWERS OF CITY COUNCILS.

An Act to Amend and Re-enact Subdivision 75, of Section 3599, of the Compiled Laws of North Dakota for 1913, Relating to Powers of City Councils.

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

§ 1. AMENDMENT.] That sub-division 75 of Section 3599 of the Compiled Laws of the State of North Dakota for the year 1913, is hereby amended and re-enacted to read as follows:

Sub-division 75. To purchase, erect, lease, rent, manage and maintain any system or part of system of water works, street sprinklers, hydrants and supply of water, fire and police signals, telephones and telephone lines, fire apparatus, that may be in use in the prevention and extinguishing of fires, electric light and power plants or gas works, steamheating plants and appurtenances for distribution, and to supply the same for municipal and commercial purposes, 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.

§ 2. All laws or parts of laws in conflict herewith are hereby repealed.

§ 3. EMERGENCY.] Whereas it is necessary for the immediate preservation of the public peace, health and safety, that this Act shall become effective without delay for the following reasons, to-wit, namely:

That there is no definite provision of law permitting City Councils to purchase, erect, lease, rent, manage and maintain steam heating plants, appurtenances for distribution, therefore, this act shall take effect and be in force from and after its passage and approval.

Approved January 31, 1917.

## CHAPTER 76.

[H. B. No. 295—Cole.]

## PURCHASING PRIVATE PROPERTY BY CITIES.

An Act to Amend and Re-enact Section 3686 of the Compiled Laws of North Dakota, for 1913, as Amended by Chapter 73 of the Laws of 1915, Relating to Taking and Purchasing Private Property by Cities.

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

§ 1. AMENDMENT.] That Section 3686 of the Compiled Laws of North Dakota, for 1913, as amended by Chapter 73 of the Laws of 1915, be and the same is hereby amended and re-enacted to read as follows:

§ 3686. **TAKING PRIVATE PROPERTY.]** Whenever it shall be necessary to take private property in order to open, lay out, widen or enlarge any street, or alley, in any city, the same shall be done by purchase, or under the provisions of the Code of Civil Procedure providing for the exercise of the right of eminent domain; and when purchased or whenever any judgment for damages to property so taken for any such improvement shall be entered, the board of city commissioners or city council shall certify the same to the special assessment commission and they shall cause special assessments to be levied upon the property benefited thereby to pay such judgment or the purchase price thereof, provided, that not more than three-fourths may be paid by the levy of a general tax upon all taxable property in the city.

§ 2. **EMERGENCY.]** Whereas, an emergency is hereby declared to exist, therefore this Act shall take effect and be in force from and after its passage and approval.

Approved March 12, 1917.

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## CHAPTER 77.

[H. B. No. 444—Moen of Adams.]

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### REAL ESTATE OF CITIES LOCATED IN ANOTHER STATE.

An Act Permitting Cities of Another State to Purchase, Lease, Own and hold Real Estate in this State for Certain Municipal Purposes, with the Right to Lease or Convey the Same; Prescribing the Manner of Conveying the Same and Legalizing the Acquisition by Cities of Another State of Real Estate Situate in the State of North Dakota:

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

§ 1. Any city of another state, situate at or within five miles of the boundary line of the state of North Dakota shall be permitted to purchase, lease, own and hold real estate in this state for water-works or sewerage purposes and may improve the same for municipal purposes, the same as cities situated within the state of North Dakota, together with the right to lease, let or convey the same; provided, however, that such cities shall be liable for all damages growing out of, or incident to the ownership, use or occupation of any real estate owned or held by such foreign cities the same as cities situate in this state.

§ 2. Any city of another state permitted under this act to own, lease, occupy or hold real estate in this state shall have the right by their corporate authorities and in their corporate name to sue in the courts of this state for the protection of any rights acquired in real estate in this state, and to defend actions in their corporate name relating to the ownership, use or occupation of real estate so acquired, the same as cities situate in this state.

§ 3. Any real estate in this state owned by a city situated in

another state may be conveyed by warranty or quit claim deed, executed by and in behalf of said city and in its corporate name, by its mayor and city auditor, under the corporate seal of said city, and such deed when so executed, and when acknowledged by said mayor and city auditor for and in behalf of said city before an officer competent to take acknowledgements shall be entitled to record the same as in the case of other deeds relating to real estate in this state.

§ 4. The acquisition of any real estate in this state, by deed, lease or grant, by cities situate in another state and of the class above mentioned is hereby in all things declared valid and legal.

Approved March 10, 1917.

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## CHAPTER 78.

[S. B. No. 240—Heckle.]

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### SIDEWALK SPECIAL ASSESSMENT FUNDS.

An Act to Amend and Re-enact Section 3695 of the Compiled Laws of North Dakota for the year 1913, Relating to Sidewalk Special Assessment Funds.

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

§ 1. AMENDMENT.] That Section 3695 of the Compiled Laws of North Dakota for the year 1913 is hereby amended and re-enacted to read as follows:

§ 3695. SIDEWALK SPECIAL ASSESSMENT FUND.] All moneys collected from special assessments for building or repairing sidewalks shall be kept in a fund to be called "sidewalk special fund," and warrants shall be drawn on such fund for the payment of the costs of building and repairing all sidewalks, and the city shall not be liable on any contract for the building or repairing of sidewalks to be paid by moneys raised by general taxation; provided, only, that where lots against which sidewalk special assessments are laid have become either the absolute property of the county because of a sale for delinquent taxes, or the absolute property of the city because of a sale for delinquent special assessments, the city council shall, by resolution, direct that there be paid into the "sidewalk special fund" out of the general funds of the city the amount of the sidewalk special assessments against all such lots, with interest at 7 per cent but without penalty or costs.

All such sidewalk special assessment warrants shall be payable as specified and in such amounts as in the judgment of the city council the taxes and assessments will provide for, which said warrants shall bear interest at the rate of not to exceed seven per cent per annum payable annually, and may have coupons attached representing each year's interest. Such warrants shall state upon their faces for what purpose they are issued and the further fact from which fund they are payable and shall be signed by the mayor

and countersigned by the city auditor under the seal of the city and be in denominations of not more than one thousand dollars each. Such warrants may be used in making payment on contracts for making such improvements or be sold for cash at not less than par value thereof and the proceeds credited to such fund, and used for paying such improvements. It shall be the duty of the city treasurer to pay such warrants and interest coupons as they mature and are presented for payment out of the sidewalk special assessment fund, and to cancel the same when paid.

§ 2. This section shall apply to all sidewalk assessments heretofore or hereafter made.

Approved March 10, 1917..

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## CHAPTER 79.

[H. B. No. 260—Hoghaug.]

### VALIDATING CERTAIN GENERAL AND SPECIAL ELECTIONS.

An Act Validating Certain General and Special Elections in Villages, and Bonds and Warrants issued by the Corporate Authorities Thereof in Pursuance of Such Elections.

*Be it Enacted by the Legislative Assembly of the State of North Dakota.*

§ 1.] Any general or special election held heretofore in any village for the purpose of submitting to the qualified electors thereof, the proposition of installing water or light plants, or for making any other improvements therein legally within the authority of such village, and to issue bonds or warrants therefor on the part of such village, or to issue bonds to fund any existing indebtedness, when the only ground for invalidity of such elections and the bonds and warrants issued in pursuance thereof are defects, errors, or omissions, in any, or all of the proceedings therefor, or that the bonds and warrants, evidencing such indebtedness, at the time of such attempted incurring thereof, the same, together with all other then existing indebtedness of such village exceeded the debt limit thereof as evidenced by the last assessment roll previous to the attempted incurring of such indebtedness, provided such indebtedness does not exceed the constitutional limitation, or that the petition to the board of village trustees failed to contain five-eighths of the citizen owners of taxable property of such village as evidenced by the assessment roll of the preceding year, are hereby legalized and validated the same as if in all things such elections, were held and the petitions therefor sufficient, and the bonds and warrants evidencing such indebtedness were issued in conformity to the laws then in force.

§ 2. EMERGENCY.] Whereas an emergency exists in this, that it is necessary for the immediate preservation of the public health and safety that this law shall become effective without delay for

the reason that the installation of light plants and improvements authorized in villages in the state is being delayed on account of defects, errors, or omissions in proceedings connected with the elections and bonds issued to authorize and pay for such improvements, and residents of such villages will otherwise be put to great expense, inconvenience and delay and benefit from proceedings with necessary building operations; therefore this Act shall take effect from and after its passage and approval.

Approved March 10, 1917.

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## CHAPTER 80.

[H. B. No. 372—Hendrickson.]

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### VALIDATION OF CERTAIN DEFECTIVE PROCEEDINGS.

An Act Relating to the Validation of Certain Defective Proceedings in the Incorporation of Cities and Relating to Defective Proceedings to Affect the Extension of the Limits Thereof.

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

§ 1. ACTS AND PROCEEDINGS LEGALIZED.] That in all cases where a village has, prior to January 1, 1917, been incorporated into a city under the laws of this state and the proceedings by which such incorporation has been made have been in certain respects defective, such proceedings are hereby declared to be valid and legal and the incorporation of such villages into a city shall not be questioned because of such defective proceedings.

§ 2. In all cases prior to January 1, 1917, where the limits of a city have been extended and the proceedings required by law for the extension of such limits have not been technically and strictly complied with, such proceedings are hereby declared lawful and valid and the extension of said city limits affected by such proceedings shall not be questioned because of such defect, provided, that nothing contained herein shall affect any act or proceeding now pending in any court in the state.

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

Approved March 10, 1917.

## CHAPTER 81.

[H. B. No. 200—Wadeson.]

## VILLAGE BOARDS.

An Act to Re-enact Chapter 269 of the Laws of North Dakota for the year 1915, being an Act Defining the Powers of Village Boards Relating to the Erection, Purchase, Leasing, and Operation of Electric Light and Power Plants or Gas Works, and granting to Village Boards the Authority to Contract with Others for Electric or Gas Street Lighting, Electricity and Gas.

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

§ 1. AMENDMENT.] That Section 1 of Chapter 269, Laws of North Dakota for the year 1915, is hereby amended and re-enacted so as to read as follows:

The Board of Trustees of villages shall have the power upon petition of five-eighths of the citizen-owners of the taxable property of such villages in the manner and form provided by Section 3868 of the Compiled Laws of North Dakota, for the year 1913 as amended by Chapter 269 of the Session Laws of 1915, to purchase, erect, lease, manage and maintain any electric light and power plants or gas works to supply electric light, power or gas for village and commercial purposes and to its inhabitants, or to contract with others within or without such village to furnish electric light, power or gas to such village and its inhabitants, and to furnish electric or gas street lamps, poles and other equipment necessary therefor, and to pass all ordinances, penal or otherwise, that shall be necessary for the full protection, maintenance, operation, management and control of the property so erected, purchased, leased, or contracted for.

Approved March 12, 1917.

## CONCURRENT RESOLUTIONS

## CHAPTER 82.

[S. B. No. 315—Gibbens.]

## A CONCURRENT RESOLUTION.

Appropriation to Meet a Deficiency for the Per Diem of Officers and Employees of the Senate and House of Representatives, Fifteenth Legislative Assembly.

WHEREAS, the 14th Legislative Assembly made appropriations for the specific departments of the Legislative Assembly to meet the expenses and expenditures of the 15th Legislative Assembly, and

WHEREAS, the specific appropriation for the payment of the per diem of officers and employees of both the Senate and House of