

and are declared to be the valid indebtedness of such city, village or school district, and in every case where the city council or city commissioners, village board of trustees, school board or board of education thereof shall have heretofore or shall hereafter determine by resolution or ordinance, that it was or is for the best interests of the city, village or school district to issue its negotiable bonds in the name of the city, village, or school district for the sole purpose of funding such indebtedness and shall have been or shall be authorized to issue such bonds, by a majority vote of the qualified electors of such city, village or school district, voting thereon at any regular or special election legally called and held after public notice thereof as required by law, and if such bond shall have been or shall be executed, sold and delivered for value, and the proceeds arising from such sale shall have been or shall be applied exclusively to the express purpose of funding such warrants or orders, then in every case such bonds whether engraved, lithographed or printed on bond paper shall, when executed, sold and delivered as provided by law, be deemed, and hereby are declared to be valid and subsisting indebtedness of the city, village or school district issuing the same.

Sec. 2. PENDING ACTIONS NOT AFFECTED. DEBT LIMIT.) This Act shall not affect any actions now pending in which the validity of such warrants, orders or indebtedness is called in question; providing, however, that the issue of such bonds shall not be construed to be an increase of the indebtedness of the municipality and the proceeds from sales of such bonds shall be applied exclusively towards the discharge of the indebtedness of such city, village or school district referred to in Section 2 of this Act.

Approved February 26, 1919.

LIENS

CHAPTER 176.

(S. B. No. 127—Levang)

BANKERS' LIENS.

An Act Repealing Section 6868 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Bankers' Liens.

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

Sec. 1. That Section 6868 of the Compiled Laws of the State of North Dakota for the year 1913 be and the same is hereby repealed.

Approved February 26, 1919.

CHAPTER 177.

(H. B. No. 19—Maddock.)

SEED GRAINS—ISSUANCE OF BONDS AND WARRANTS.

An Act to Amend and Re-enact Section 3481 and 3482 of the Compiled Laws of North Dakota for the Year 1913 as Amended by Sections Nine and Ten of Chapter Thirteen of the Laws of North Dakota for the Year 1918, Relating to the Issuance of Bonds and Warrants to Procure Seed Grain and Feed.

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

Sec. 1. AMENDMENT.) That Section 3481 of the Compiled Laws of North Dakota for the year 1913 as amended by Section nine of Chapter thirteen of the Laws of North Dakota for the year 1918 be and the same is hereby amended and re-enacted to read as follows, to-wit:

Sec. 3481. CONTRACT FOR REPAYMENT. DELINQUENT PAYMENTS EXTENDED. PLACED IN JUDGMENT OR LIENS FORECLOSED.) The County Auditor of each County shall as soon as the County Commissioners shall have performed the duty prescribed in the preceding sections, issue to each applicant demanding it an order for the number of bushels of each kind of seed grain and amount of feed which has been allowed to said applicant, unless otherwise directed by the board or the chairman thereof: provided, however, that said order shall not be delivered until said applicant shall have signed a contract in duplicate, which contract shall have the same force and effect as a promissory note, attested by the County Auditor to the effect that said applicant for and in consideration of the bushels of seed grain and of feed received from county, promises to pay to said county dollars, the amount of the cost of said seed grain and feed; that the amount of such indebtedness shall become due and payable on the first day of October in each year in which said seed grain and feed is furnished, together with interest, on such amount from the date of the bonds provided for herein at a rate not to exceed six per cent per annum .

Provided, further, that if the applicant is a renter, the owner of the land shall also sign the contract with him, except where an exception is made by the order of the Board of County Commissioners, and where the owner signed such contract, the county shall have in addition a lien upon all the real estate of said owner upon which said seed and grain was sown.

It shall be the duty of the County Treasurer to collect said notes as they fall due and upon payment of the same to satisfy the lien in the office of the Register of Deeds and return the note to the debtor.

It shall further be the duty of the County Treasurer to deliver to the Board of County Commissioners a statement of all contracts which remain unpaid on the first day of January in

the year following. At any time after such contracts fall due, it shall be the duty of the Board of County Commissioners when it deems such action advisable to order the States Attorney to immediately commence an action in behalf of and in the name of said county for the placing of such indebtedness in judgment or for the foreclosure of the lien in accordance with the laws providing for the foreclosure of mortgages by advertisement.

Provided, however, the Board of County Commissioners may in cases where the enforcement of such payment would prevent the debtor from putting in a crop the following spring, extend the time of payment of such debtor's contract for the period of one year.

Sec. 2. AMENDMENT.) That Section 3482 of the Compiled Laws of North Dakota for the year 1913 as amended by Section ten of Chapter thirteen of the Laws of North Dakota for the year 1918 be and the same is hereby amended and re-enacted to read as follows, to-wit:

Sec. 3482. CONTRACT RECORDED AND MADE FIRST LIEN.) The County Auditor shall cause certified copies of such contracts to be filed and recorded in the office of the Register of Deeds of said county and thereupon deliver the originals to the County Treasurer. Immediately upon filing and recording certified copies of said contract, the county shall acquire a just and valid lien upon the crops of grain and feed raised each year by the person receiving seed grain and feed to the amount of the sum then due to the county upon said contract, which shall as to the crops covered thereby have priority over all other liens and incumbrances thereon, except threshers and labor liens.

The county shall in addition have a lien from the date of record, if the owner of the real estate has signed the application and note, upon all real estate described in the application upon which said grain is to be sown, which shall have priority over all incumbrances thereafter recorded. And the filing and recording of said contract shall be held and considered to be full and sufficient notice to all parties of the existence and extent of said lien upon said crops of grain and feed raised, and upon said land, which shall continue in force until the amount covered by said contract shall be fully paid.

Sec. 3. EMERGENCY CLAUSE.) Whereas an emergency exists in that much unnecessary expense will be incurred in litigating seed and feed liens under the laws heretofore governing the same, and, whereas, it is necessary for the immediate preservation of the health, safety and peace of the public: therefore this Act is hereby declared an emergency measure and shall become and be in effect and in force immediately upon its passage and approval.

Approved January 20, 1919.