

be made on a motion in the alternative form asking therefor, or if the same be denied, for a new trial. If the motion for judgment notwithstanding the verdict be denied, the supreme court, on appeal from the judgment, may order judgment to be entered, when it appears from the testimony that a verdict should have been so directed; and it may also so order on appeal from the whole order denying such motion when made in the alternative form whether a new trial was granted or denied by such order.

Approved February 18, 1921.

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## VALIDATING ACTS

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### CHAPTER 134.

(H. B. No. 109—Olson of Billings.)

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#### MUNICIPAL INDEBTEDNESS.

AN ACT Legalizing Certain Acts of City, Village and School District Officials.

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

§ 1. ACTS LEGALIZED.] Where the officers of any incorporated city, village, or school district of this state shall have incurred indebtedness and issued warrants or orders for the erection, purchase, repair or maintenance, within and for said city, village, or school district for school or other buildings or water works, gas or electric light plant, public wells cisterns, fire apparatus, or legitimate corporate purposes for said city, village or school district, or to pay for or to raise money for any such purpose, and said warrants or orders are outstanding, or held in the general revenue or other funds of said city, village or school district, in any or all such cases where said warrants or orders are within the debt limit, the same are hereby legalized 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.

§ 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 toward the discharge of the indebtedness of such city, village or school district referred to in Section 2 of this Act.

Approved March 10, 1921.

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LEGAL NOTICES.

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CHAPTER 135.

(S. B. No. 34—Thorson.)

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AN ACT Legalizing and Validating all Notices and Publications commenced in an Official Newspaper Prior to the 1st day of January, 1921.

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

§ 1. The publication of all notices and publications required by the provisions of Chapters 187 and 188 of the Session Laws of North Dakota for the year 1919 to be published in an Official Newspaper that were prior to the first day of January, 1921, commenced in an official newspaper and continued therein after such newspaper ceased to be the official newspaper or were continued in the newly elected official newspaper are hereby declared legal and valid for all purposes.

Approved March 2, 1921.