

shall have constructed a bridge or bridges, or shall hereafter construct any bridge or bridges, over any navigable stream of water, to pay to the treasurer of such city or municipality, whereby such bridge or bridges have been constructed or is or are about to be constructed, all monies now in the hands of the county treasurer of said county, or hereafter to come into his hands in the bridge fund of said county, which shall have been or shall be levied, assessed and collected upon and from persons and property, or either, in said city or municipality.

§ 2. REPEAL.] All acts or parts of any act of the Territory of Dakota, in conflict herewith, are hereby repealed.

§ 3. EMERGENCY.] Whereas, an emergency exists in that certain cities have already constructed expensive bridges and require the taxes levied to pay the deficiency between the amount of bonds issued and the total cost of the bridges, this act shall take effect and be in force from and after its passage and approval.

Approved March 20, 1890.

CHATTEL MORTGAGES.

CHAPTER 40.

[H. F. 181.]

REGULATING SALE UNDER CHATTEL MORTGAGE.

AN ACT to Amend an Act Entitled "An Act to Give Publicity to Chattel Mortgage Sales," Approved March 8, 1889.

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

§ 1. AMENDMENT.] That Section 3 of an act entitled "An act to give publicity to chattel mortgage sales," approved March 8, 1889, be amended to read as follows:

"Sec. 3. PUBLIC PLACES.] The boards of county commissioners of the several counties shall, at their regular quarterly meetings in April and every year thereafter, designate not less than five public places in their respective counties, which shall be the only market places for the sale of chattels under the provisions of this act; *Provided*, That the mortgagor and mortgagee may at the time of seizure agree and designate in writing any other place in the county as the place of sale, which written notice or designation shall be delivered to the mortgagee or his agent, and shall be attached to and filed with the report of sale, and in case the mort-

gagor and mortgagee fail to agree upon a place of sale, then such sale shall be made at one of the places designated by the county boards; and, *Provided, further*, That growing or harvested crops, grain in bulk, or buildings may be sold under the provisions of this act without moving the same to the place of sale."

§ 2. That Section 8, of said act be amended to read as follows:

"Sec. 8. DISPOSITION OF PROCEEDS.] Out of the proceeds arising from the sale the officer making the sale shall pay first the costs and expenses of the foreclosure; second, shall pay the person or persons entitled thereto the amount of the mortgage debt and third shall pay the balance, if any there be, to the owner of the mortgaged property. And when any chattel mortgage shall have been paid in any manner, the mortgagee or person owning said mortgage shall cause the same to be released of record within sixty days after such payment shall be made, and any person refusing or neglecting for sixty days to release or cause said mortgage to be released, shall be subject to a penalty of ten (10) dollars, to be recovered in a civil action, and when collected the same shall be paid into the school fund. It shall be the duty of the state's attorney to sue for said penalty in the name of the State and to prosecute such action."

§ 3. EMERGENCY.] There being an emergency in this that there is no adequate existing law on this subject, therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 18, 1890.

CHAPTER 41.

[H. F. 247.]

RENEWAL OF CHATTEL MORTGAGES.

AN ACT to Amend Section 1, Chapter 25, of the General Laws of 1881, Being Section 4383 of the Compiled Laws.

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

§ 1. WHEN MORTGAGE CEASES TO BE VALID.] That a mortgage of personal property shall, unless duly renewed as provided in Section 2 of this act, cease to be valid as against the original mortgagee and mortgagor, his heirs or assigns, and against any attaching or execution creditor of the mortgagor or any subsequent purchaser or mortgagor of the property, in good faith, whether the title of such purchaser shall vest, or the lien of such creditor or mortgagee shall attach, prior or subsequent to the expiration of

the three year period or periods in Section 2 of this act mentioned.

§ 2. RENEWAL EVERY THREE YEARS.] In order to preserve and continue its priority of lien, every chattel mortgage must, not less than ten or more than thirty days immediately preceding the expiration of three years from the date of the filing thereof, be renewed by the filing in the office of the register of deeds of the proper county, of a copy of such mortgage, together with a statement of the amount or balance of the mortgage debt for which a lien is still claimed, duly subscribed and sworn to by the then owner of the mortgage, his agent or attorney; and in like manner the copy and statement of debt must be again filed every three years, or the mortgage shall cease to be valid as against the parties in Section 1 of this act mentioned.

§ 3. EMERGENCY.] That there exists a difference of opinion and a doubt as to the meaning and interpretation of the existing laws relating to the renewal of chattel mortgages; therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 20, 1890.

CIVIL TOWNSHIPS.

CHAPTER 42.

[S. F. 9.]

CERTIFICATES OF ROAD WORK RECEIVABLE FOR CERTAIN TAXES.

AN ACT to Amend Sections 16 and 18 of Subchapter 2 of Chapter 112 of the General Laws of 1883, of the Territory of Dakota, Entitled "An Act to Provide for the Organization of Civil Townships and the Government of the Same."

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

§ 1. MAY PAY CERTAIN TAXES BY ROAD WORK.] That Section 16 of Subchapter 2 of Chapter 112 of the General Laws of 1883 of the Territory of Dakota, is hereby amended by adding at the end of said section the following words: "If any person shall have done any road work under the direction of the road overseer, such person shall be entitled on demand to a receipt from said overseer, which receipt shall state in dollars and cents the value of such labor and the name of the person, when assessment is against