

and to protect property, and any one warned out by the fire warden or under his direction and who refuses or neglects to respond, unless he renders a reasonable excuse, shall be adjudged guilty of a misdemeanor and fined not less than ten (10) dollars nor more than twenty-five (25) dollars; *Provided, however,* That any one so called out shall be given credit the same as if he performed labor on the highways.

§ 11. RAILROADS TO BURN RIGHT OF WAY.] It is hereby made the duty of every railroad company within this State that is operated by steam power as soon as possible in each year to burn or otherwise destroy all grass, weeds or other combustible matter upon the right of way of such railroad company.

§ 12. LIABILITY OF CARELESS SETTING OF FIRES.] Every person or corporation who shall willfully, negligently or carelessly set on fire, or cause to be set on fire any woods, hay, weeds or prairie grass shall be guilty of a misdemeanor, and shall, upon conviction, be fined not less than five hundred (500) dollars or by imprisonment in the county jail not more than one year, or by both such fine and imprisonment, in the discretion of the court, and shall also be liable to any person or persons or corporation damaged by such fire to the amount of such damage.

§ 13. REPEAL.] All acts or parts of acts in any manner in conflict with the provisions of this act are hereby repealed.

§ 14. EMERGENCY.] There being no adequate remedy against prairie fires and the necessity for taking legal action long before July 1st creates an emergency, therefore, this bill shall become a law from and after its passage and approval.

Approved March 9, 1891.

PUBLIC CREDIT.

CHAPTER 94.

[H. B. No. 73,]

AUTHORIZING ISSUE OF STATE FUNDING WARRANTS.

AN ACT to Amend Chapter 114 of the Session Laws, Approved March 18, 1890, Entitled An Act to Amend An Act Entitled An Act to Amend Sections 2 and 4 of Chapter 58 of the Session Laws of 1879, Entitled An Act for the Protection of the Public Credit.

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

§ 1. AMENDMENT.] That Section 1 of an act entitled an act to amend Sections 2 and 4 of Chapter 58 of the Session Laws of

1879, entitled an act for the protection of the public credit, approved March 18, 1890, be amended to read as follows:

Sec. 1. STATE FUNDING WARRANTS ISSUED.] That Section 2 of Chapter 58 of the Session Laws of 1879 be and the same is hereby amended to read as follows: The State Treasurer, with the advice and consent of the Governor and State Auditor, is hereby authorized and directed to pay all state warrants legally issued, that may have been or may hereafter be presented to him for payment; *Provided*, The money to pay the same can be obtained at a rate of interest not to exceed 8 per cent.; and the Auditor is hereby authorized and directed to issue funding warrants in lieu of the warrants so paid, and the Treasurer is hereby authorized and directed to apply all State funds by him received and not otherwise lawfully appropriated, to the payment and cancellation of the so-called funding warrants; *Provided, further*, That nothing in this chapter shall authorize said Treasurer, nor shall said Auditor and Governor consent to issue funding warrants in excess of \$80,000, nor shall they anticipate the needs of the State for a longer period than sixty days at any one time.

§ 2. EMERGENCY.] Whereas an emergency exists in that there is no authority of law to issue funding warrants in excess of 6 per cent. interest, and there is need of additional funds to pay the current expenses of the State and the Legislative Assembly, therefore, this act shall take effect and be in force immediately upon its passage and approval.

Approved January 29, 1891.

RAILROADS.

CHAPTER 95.

[H. B. No. 200.]

AMENDING LAWS OF 1890, REGULATING COMMON CARRIERS.

AN ACT to Amend Section 6, of Chapter 122, of the General Laws of 1890, Entitled "An Act to Regulate Common Carriers and Defining Common Carriers and Defining the Duties of the Commissioners of Railroads in Relation Thereto in the State of North Dakota," and to Re-enact the Same.

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

§ 1. AMENDMENT.] That Section 6 of Chapter 122 of the General Laws of 1890, entitled, "An act to regulate common carriers," be and the same is hereby amended to read as follows: