

or caused to be marked, branded, killed or sold, any horse, mule, cow, calf, or other neat cattle, or any sheep or swine, the property of another, is guilty of a felony, and upon conviction thereof, is punishable by imprisonment in the penitentiary for not less than one and not exceeding five years, or by fine of not less than five hundred dollars, and not exceeding one thousand dollars or by both. Every person who commits grand larceny of any animal above specified, the property of another, shall, upon conviction thereof, be punished by imprisonment in the penitentiary not less than one and not exceeding ten years, or by a fine of not less than five hundred dollars and not exceeding one thousand dollars, or by both such fine and imprisonment.

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 All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

Approved, March 9, 1897.

DEPOSITIONS.

CHAPTER 71.

[S. B. 26.]

TAKING OF DEPOSITIONS.

AN ACT Relating to the Taking of Depositions.

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

§ 1. DEPOSITIONS.] Whenever a notice to take depositions contains a notice that the testimony of other witnesses than those named or that the testimony of witnesses generally, without naming any witnesses, will be taken such notice will be sufficient to justify the taking of the depositions of unnamed witnesses, but the adverse party shall have the right within ten days after such depositions are filed in the proper office and notice of the filing thereof is given to him, in which to serve notice upon the party on whose behalf such witnesses were sworn that he will cross-examine such witnesses at a time and place therein specified. Such notice shall be in substance the same as a notice to take depositions. Such witnesses may be cross-examined before the same or another officer.

Approved, February 4th, 1897.