

CHAPTER 175.

[H. B. 199.]

WITNESSES RESIDING OUT OF THE COUNTY

AN ACT to Amend Section 8369 of the Revised Codes of North Dakota.

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

§ 1. AMENDMENT.] That section 8369 of the Revised Codes be and the same is hereby amended to read as follows:

§ 8369. No person is obliged to attend as a witness before a court or magistrate out of the county where the witness resides or is served with the subpoena, unless the committing magistrate before whom the defendant is brought or the judge of the court in which the offense is triable, or a judge of the District Court or a judge of the Supreme Court upon an affidavit of the state's attorney or prosecutor, or of the defendant, or his counsel, stating that he believes the evidence of the witness is material, and his attendance at the examination or trial necessary, shall indorse upon the subpoena an order for the attendance of the witness.

Approved March 8, 1899.

CONCURRENT RESOLUTIONS.

CHAPTER 176.

PENSIONS FOR UNION SOLDIERS.

CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:

That the senators and representatives of the State of North Dakota in the National Congress be requested to favor and assist in securing a fair and liberal service pension to every union soldier veteran of the Civil War, not already a pensioner, regardless of any disability accruing from said service or since, whenever said soldier shall have arrived at the age of sixty-two years.

CHAPTER 177.

FUND FOR NORTH DAKOTA VOLUNTEERS.

CONCURRENT RESOLUTION Providing a Contingent Fund for the First North Dakota Volunteers.

Be it Resolved by the Senate, the House of Representatives Concurring:

That the governor be and he is hereby empowered and directed to draw the sum of \$2,500 from the military appropriation of the State of North Dakota and transmit the same to the First North Dakota Volunteers at Manila in the Philippine Islands, to be used as a contingent fund for the comfort and welfare of said volunteers under the direction of a board consisting of the field officers and company commanders in command of troops.

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Approved March 6, 1899.

CHAPTER 179.

BONDS OF UNIVERSITY OF NORTH DAKOTA.

CONCURRENT RESOLUTION.

Be it Resolved by the Senate, the House of Representatives Concurring:

Whereas, From the treasurer's report it appears that \$22,700 of 4 per cent interest bearing bonds, issued for the University of North Dakota, dated May 1st, 1889, and due May 1st, 1909, with payment optional May 1st, 1899, and

Whereas, The board of university and school lands has money enough on hand at all times to take up said bonds, therefore be it

Resolved, That the board of university and school lands is hereby requested to bid for said bonds at par to bear interest at the rate of 4 per cent per annum, payable semi-annually, and that the treasurer of the State of North Dakota be and he is hereby instructed to redeem said bonds May 1st, 1899, and re-issue them to the board of university and school lands at 4 per cent interest, payable semi-annually, to run twenty years from date of issue; providing said board bids in compliance with this resolution, and be it further

Resolved, That a copy of this resolution be presented to the secretary of said board and another to the state treasurer.

CHAPTER 180.

LIST OF STATE OFFICERS.

CONCURRENT RESOLUTION.

Be it Resolved by the Senate of the State of North Dakota, the House Concurring:

That the secretary of state is requested to prepare for the use of the state officers and members of the legislative assembly, a legislative manual embodying therein a list of the state officers, members of the senate and house, officers of the respective bodies, the committees thereof, the rules of the respective bodies, the constitution of the state, and such other information as may be necessary and useful for the state officers and members of the legislative assembly.

CHAPTER 181.

STATE FUNDING WARRANTS.

CONCURRENT RESOLUTION.

Be it Resolved by the House of Representatives of the State of North Dakota, the Senate Concurring:

That the state treasurer, with the advice and consent of the governor and state auditor, be hereby authorized and instructed to negotiate and dispose of state funding warrants not to exceed \$100,000 in the aggregate, at such discount as will allow a reasonable rate of interest, such indebtedness to become due and payable on, or before January 1, 1901. The existing conditions are such that the collection of taxes from the counties from now until January 1, 1900, may not be sufficient to meet expenses; therefore, this loan is necessary to protect the credit of the state and of the state institutions.

CHAPTER 182.

DEATH OF GOVERNOR FRANK A. BRIGGS.

CONCURRENT RESOLUTION.

Resolved, That in the death of Governor Frank A. Briggs the state lost a safe executive and a patriotic citizen, loyal to his state and people.

Resolved, That Saturday, February 11th, beginning at 2 o'clock p. m., be set apart for appropriate eulogies to his memory, and that the senate and house meet in joint assembly at that time.

Resolved, That as an additional mark of respect; the senate and house shall at the conclusion of these ceremonies, adjourn.

Resolved That the senate communicate these resolutions to the house.

CHAPTER 183.

MAJOR FRANK WHITE.

JOINT RESOLUTION by the Senate and House of Representatives of the Sixth Legislative Assembly of the State of North Dakota in re Major Frank White of the First North Dakota Volunteer Infantry

Whereas, Major Frank White, senior major of the First North Dakota Volunteer Infantry now on duty in the Philippines, has faithfully served the State of North Dakota in his capacity as representative and state senator for the Fifteenth legislative district during the legislative sessions of 1891, 1893, 1895 and 1897; and

Whereas, We, the members of the Sixth legislative assembly of the State of North Dakota, well know the honor, honesty and ability of Major White; and

Whereas, He has repeatedly shown his aptitude in the management of difficult situations, and has undoubtedly made a study of the conditions prevailing at Manila with a view to their amelioration by executive or legislative action.

Now, therefore, Be it Resolved, That we, the senators and representatives of the Sixth legislative assembly of the State of North Dakota commend Major Frank White to the president of the United States as a person of excellent character and education, and respectfully suggest that he be employed by the president in such executive, advisory or legislative capacity at Manila or in the Philippine Islands as may appear advisable.

CHAPTER 184.

TWINE AND CORDAGE PLANT.

CONCURRENT RESOLUTION.

Whereas, It appears from the report of the warden of the state penitentiary that there is lack of employment for the inmates of that institution, resulting in a financial disadvantage to the state and tending to produce unfavorable mental and physical conditions among the inmates; and

Whereas, It also appears that in the year 1891, a "Twine and Cordage Plant" was built and in the following year started in operation at the Minnesota state penitentiary located at Stillwater in that state; that the said plant has been operated since that time with such success that the institution is now self-supporting, and during the last year the earnings of the inmates exceeded the expense (per capita) of keeping each of them, by the sum of \$114.62, while in the year 1891, the year before the "Twine Plant" was put in operation, the excess of the expense over the earnings was \$145.63 per capita; therefore,

Be it Resolved by the House of Representatives, the Senate Concurring:

That a committee, consisting of three members from the house of representatives, to be appointed by the speaker, and two members from the senate, to be appointed by the president of the senate, be appointed to investigate the matters above referred to; to visit the said Minnesota state penitentiary for that purpose, if it shall seem advisable to them to do so, and report with all convenient speed to this legislature such recommendations on the subject as to them may seem wise.

CHAPTER 185.

CARE OF LEPERS.

CONCURRENT RESOLUTION of the House of Representatives and Senate of the State of North Dakota, to the Congress of the United States, Praying for the Establishment of a National Lazaretto for the Care and Maintenance of Citizens of the United States Afflicted with Leprosy

To the Honorable, the Congress of the United States:

Whereas, There are now residing in this state a few citizens of the United States afflicted with that most loathsome disease, leprosy, and

Whereas, Owing to the contagious and incurable nature of the

disease which baffles the skill of medical science, and endangers the safety of the public; and

Whereas, The care and maintenance of these unfortunate people by the local authorities of the state is impracticable and dangerous; therefore, be it

Be it Resolved by the House of Representatives, the Senate Concurring:

That your honorable body be requested and urged to take prompt action in establishing and maintaining a national Lazaretto for the care and treatment of citizens of the United States afflicted with leprosy;

Resolved, further, That engrossed copies of the memorial, duly signed by the speaker of the house and president of the senate and countersigned by the chief clerk of the house and secretary of the senate, be sent to each of our representatives in congress, the Honorable Henry C. Hansbrough and William N. Roach, members of the United States senate, and Martin N. Johnson, member of the house of representatives.

CHAPTER 186.

CONCURRENT RESOLUTION.

Be it Resolved by the Senate of the State of North Dakota, the House Concurring:

That, Whereas, The profession of arms has in all ages been regarded with favor and men of valor held in high esteem; and

Whereas, We, as American people, realize that we owe our existence to military strength and achievement, not from choice but of necessity, and while we might boast that we have never taken up the sword but in the defense of humanity and right, and having left no shackles upon our citizens at home, we may feel proud, and justly so, of having been chosen as an instrument in the hands of an over-ruling power in striking the fetters that for ages have bound an alien people.

Therefore, We, the representative people of the State of North Dakota in legislative assembly convened, do declare it to be the sense of this body and its constituency that those of our citizens who went forth in the recent war manifested a high and grand patriotism in so nobly giving their services in a cause so just and righteous, and for which they are held in the highest regard and esteem by their fellow citizens, not only of this state but by the whole civilized world.