

and to all the liens so held by him as equitable assignee as fully as if formal written assignments thereof had been recorded. All the statutes relating to redemptions from execution sales shall govern sales on mortgage foreclosure and these provisions shall apply to all sales hereafter made.

Approved March 10, 1917.

DEPOSITIONS

CHAPTER 110.

[S. B. No. 142—Martin.]

TESTIMONY OF INJURED PERSONS.

An Act for the Purpose of Perpetuating the Testimony of Injured Persons in Actions and Proceedings in the Courts of this State.

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

§ 1. The testimony of a person injured may be taken and perpetuated in the following manner:

1. The party desiring the perpetuation of such testimony shall issue a written notice specifying the time and place of taking the same, which shall be served upon the party against whom proceedings for damages for such injury is intended to be commenced.

2. The notice shall be served a sufficient time before the day specified therein to allow the intended defendant party time to attend by the usual route of travel, and one day for preparation, exclusive of Sundays and the day of service.

3. The examination may be adjourned from day to day and it shall be unlawful for any person or corporation to prevent or attempt to prevent the taking of such testimony.

4. Such depositions and testimony may be taken before any officer authorized to take depositions and must be written by the officer, or in his presence by the witness or some disinterested person, and must be subscribed to by the witness if the witness is able.

5. Testimony so taken shall be sealed and endorsed with the name of the officer taking same and by him addressed and transmitted to the clerk of the district court in which the contemplated action or proceeding is intended to be commenced. It shall remain under seal until opened by the order of the court, officer or tribunal or at the request of a party to the action or proceeding or his attorney.

6. On the trial of an action brought by any person for the recovery of damages for injury against the party upon whom such notice has been served, or their successors in interest wherein it may be

material to establish the facts which such depositions prove or tend to prove. Upon proof of the death of the witness the depositions may be used by either party in the same manner as depositions of other witnesses and may be read in evidence in any stage of the action or proceeding.

7. Such depositions may be taken within or without the state and shall be authenticated in the same manner as the authentication of depositions as provided for in Section 7902 of the Compiled Laws of North Dakota for the year 1913.

§ 2. REPEAL.] All acts and parts of acts in so far as they conflict with this Act are hereby repealed.

Approved March 8, 1917.

DIPPING TANKS

CHAPTER 111.

[S. B. No. 130—Sandstrom.]

DIPPING TANKS.

An Act Relating to the Building of Dipping Tanks for Live Stock in Every Township.

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

§ 1. In any township in any county of this state on the presentation of a petition signed by at least six resident free holders of said township to the board of township supervisors of such township petitioning for the establishment and construction of a dipping station within such township, the board of township supervisors of such township shall submit the question of establishing such dipping station to the electors of such township at the next annual township election. The form of ballot to be used at such election shall be as follows:

For dipping tanks..... ☐

Against dipping tanks..... ☐

Each voter shall place at the right of the proposition he favors in a square for the purpose the mark X. If a majority of the ballots cast are in favor of such township dipping station it shall be the duty of the township board of supervisors to construct and maintain such dipping station at a place within the township which will be convenient and accessible to the residents thereof. The cost of such dipping station shall be paid from the township treasury. In the construction of such dipping station it shall be the duty of the township supervisors to make the work co-operative among farmers or live stock owners as far as possible, and give to the farmers or live stock owners credit against dipping charges for neces-