

compensation, but shall receive their actual and necessary traveling expenses while engaged in conducting such investigation.

§ 8. There is hereby set aside out of any money appropriated for the expenses of the Legislative Assembly, the sum of \$25,000, for the purpose of carrying out the provisions of this resolution, which shall be paid to the chairman of such committee and by him deposited in the Bank of North Dakota and the expenses of the committee paid therefrom on orders signed by the chairman and approved by the committee. The chairman shall furnish bond in the State Bonding Department in the sum of \$27,000.

Approved 8:15 p. m. Dec. 11, 1919.

JOINT RESOLUTION

CHAPTER 42.

[H. B. No. 49—State Affairs.]

SCOTT v. FRAZIER.

Joint Resolution Requesting the Supreme Court of the United States to Advance the Case of John W. Scott, et al., vs. Lynn J. Frazier, et al., on the Calendar.

WHEREAS, an action in equity in the District Court of the United States for the District of North Dakota has been begun under the title of John W. Scott, et al., against Lynn J. Frazier, et al., the purpose of which is to enjoin and prevent the operation of the laws enacted at the last session of this Legislative Assembly creating the Industrial Commission of North Dakota, the Bank of North Dakota, the Milling and Elevator Association and the Home Building Association, and providing for issuance of state bonds wherewith to finance those state enterprises; and whereas said action, after a hearing before the Hon. Charles F. Amidon, United States District Judge, was determined in favor of the defendants and against the plaintiffs, thereby holding the said laws to be valid and constitutional; and whereas the plaintiffs in said cause have appealed from the decision of the District Court of the United States to the Supreme Court of the United States and the appeal is now pending; and whereas this Legislative Assembly is advised that, in the usual course of business of the Supreme Court of the United States, in view of the large number of causes now waiting to be heard before that tribunal, the said case of Scott, et al., against Frazier, et al., will not be heard in the Supreme Court for a period of about one year from this time or longer; and

WHEREAS, the issues involved in said cause are of great public importance to the State of North Dakota and all its people, and

involve matters of greatest moment in carrying forward the public policies of this state;

Now Therefore, Be It Resolved by the Legislative Assembly of the State of North Dakota:

That it is desired by the State of North Dakota that the issues arising in said cause be heard and advanced to final judgment as soon as may be practicable; and that the Governor of this State, who is a party to said cause, as Governor and as Chairman of the Industrial Commission of North Dakota, be and he is hereby authorized, empowered and directed to take all proper and necessary measures for the advancement of the hearing of said cause before the Supreme Court of the United States.

Approved 2:15 P. M. Dec. 8, 1919.

MARTIAL LAW

CHAPTER 43.

[S. B. No. 31—Levang.]

SEIZURE OF PROPERTY.

An Act Authorizing the Governor as Commander-in-Chief of the Military and Naval Forces of This State to Take Over and Operate Any Coal Mines or Other Public Utility in Any Emergency Where Necessary for the Protection of Life and Property.

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

§ 1. The Governor as Commander-in-Chief of the Military and Naval forces of this State is hereby authorized and empowered to take any measure necessary to prevent or avert any pending disaster or calamity which threatens to destroy life or property in this State, or which may entail loss of life or property or result in great suffering or hardship among the people of this State; and in the event of any strike or threatened strike or lockout or threatened lockout of the employees of any coal mine or public utility threatening to endanger the life and property of the people of this State, in any such event he shall have the power and authority to commandeer and take for use during any such emergency any coal mine or other public utility, together with the machinery, equipment and appurtenances of any such coal mine or public utility which may be necessary to save life or property; and he shall have power and authority to employ all help necessary for operating any such coal mine or public utility, with power and authority to make and enter into all contracts for the operation of any such coal mine or public utility, and to purchase any and all material necessary for operating