

such person appears within six months after the deposit of such money as herein provided, the same shall be passed to the school fund of the county and shall be accounted for and expended as other school money.

Approved February 28, 1903.

EXAMINATIONS.

CHAPTER 98.

[H. B. No. 6—Ryan.]

EXAMINATION OF ADVERSE PARTY UNDER RULES OF CROSS-EXAMINATION.

AN ACT to Provide for the Examination of a Party, or of Officers of a Corporation, at the Instance of an Adverse Party, as if Under Cross-Examination at the Instance of the Adverse Party or Parties Without the Party Calling Such Witness Being Concluded by the Testimony Given.

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

§ 1. WHO MAY BE EXAMINED.] A party to the record of any civil action or proceeding, or a person for whose immediate benefit such action or proceeding is prosecuted or defended, or the directors, officers, superintendent or managing agents of any corporation which is a party to the record in such action or proceeding, may be examined upon the trial thereof as if under cross-examination at the instance of the adverse party or parties, or any of them, and for that purpose may be compelled in the same manner and subject to the same rules of examination as any other witness to testify; but the party calling for such examination shall not be concluded thereby, but may rebut it by counter testimony; provided, that this act shall not apply to cases tried under the provisions of section 5630 of the revised codes, unless the party plaintiff or defendant invoking the statute is at the time exercising the right of rebuttal.

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 All acts and parts of acts in conflict with this act are hereby repealed.

§ 3. EMERGENCY.] Whereas, an emergency exists in this, there is now no adequate provision of law providing for the examination of an adverse party under the rules of cross-examination, therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 10, 1903.