

23. For all services on remittitur from Supreme Court, two dollars.

24. For taking depositions, per folio, ten cents.

25. For making certified transcripts of any judgment, one dollar.

26. For filing and docketing transcript of judgment from justice's court, one dollar.

§ 6. DEPOSIT FOR FEES TO BE REQUIRED.] No civil action, appeal or proceeding shall be entered in the clerk's office of said District Court until the person desiring such entry shall deposit with the clerk the sum of five dollars on account of fees in the case, and out of which the clerk shall satisfy the fees due in such case as they accrue, and whenever said sum or any other deposit is exhausted, said clerk may require as a condition for further entries, or clerk's fees, an additional deposit of two dollars for the purpose and applications as aforesaid, any balance remaining with said clerk after such application and the determination of the case shall be returned to the party depositing the same, his agent or attorney.

§ 7. REPEAL.] That sections 2061 to 2067, both inclusive, of the Revised Codes of the State of North Dakota for the year 1895, the same being all of article 2 of chapter 27 of the Political Code therein, and all acts and parts of acts in conflict herewith be and the same are hereby repealed.

§ 8. EMERGENCY.] Whereas, by existing law the various counties of the state are not sufficiently reimbursed for the salaries paid to clerks of the District Court and it is essential that said counties be relieved as soon as practicable; therefore, an emergency exists and this act shall take effect and be in full force and effect from and after its passage and approval.

Approved March 8, 1899.

CONSERVATOR FOR DRUNKARDS.

CHAPTER 65.

[H. B. 214.]

POWERS AND DUTIES.

AN ACT to Provide for the Appointment of a Conservator for Drunkards and Spendthrifts and their Powers and Duties.

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

§ 1. HABITUAL DRUNKARDS.] When it is represented to the county court upon verified petition of any relative or friend that any person is an habitual drunkard or spendthrift or from any cause mentally or otherwise incompetent to manage his property, the

judge must cause such person to be cited as in other cases, except that the time of service may be the same as upon a motion, and all the provisions of chapter 7 of the Revised Codes of North Dakota relating to guardian and ward where applicable shall apply in the appointment of said conservator and as to his powers and duties.

§ 2. EMERGENCY.] Whereas, there is now no law providing for the appointment of a conservator for drunkards and spendthrifts or defining their powers and duties, an emergency exists; therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 8, 1899.

CONTINGENT FUND.

CHAPTER 66.

[H. B. 38.]

ANNUAL CONTINGENCY FUND.

AN ACT to Provide an Annual Contingency Fund, to be Placed at the Disposal of the Governor.

Whereas, It was pointed out in the inaugural address of the late Governor Frank A. Briggs and again in the recent address delivered before this body by his excellency, Governor Fred B. Fancher, that unforeseen contingencies may arise when the interests of the state would be best subserved by the provision of a fund to be available at the discretion of the executive, and

Whereas, The lamentable want of available money to defray the cost of defending the state's interests in the recent railway rate cases has amply illustrated the fact that such contingencies are of actual occurrence and unquestioned embarrassment to the executive and to the state, therefore,

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

§ 1. APPROPRIATION. CONTINGENCY FUND.] There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, at the date on which this act becomes operative and annually on the first Tuesday in January thereafter, the sum of five hundred dollars for the establishment and maintenance of a contingency fund to be drawn upon by the state auditor at the direction of the executive, for the transaction of such state business or the payment of such state obligations as are not otherwise provided for, and as, in the opinion of the executive are wise or necessary; provided, that if on the first Tuesday in January of any year there