

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

shall remain a balance of cash on hand in such fund, then only such sum shall be appropriated in that year as shall be necessary to complete the total of five hundred dollars.

§ 2. **MONEYS, HOW ACCOUNTED FOR.]** The governor shall, in all cases when directing the issuance of any warrant upon the contingency fund hereinbefore provided, file with the state auditor a written and itemized statement of the material, services or other consideration in payment of which such warrant is ordered drawn, together with the names of person or persons in whose favor the warrant is so ordered and shall certify that the material, services or other consideration therein named are necessary and proper matters for settlement from this fund, and that the amounts charged therefor are proper and right; and the auditor shall file such statement and certificate as his authority for issuing the warrant therein directed.

§ 3. **EMERGENCY.]** Whereas, an emergency exists in that no such fund is now available and that it may be needed at any time, the provisions of this act shall be in effect from and after the date of its passage and approval.

Approved March 7, 1899.

COUNTY TREASURERS.

CHAPTER 67.

[H. B. 106.]

SALARY OF COUNTY TREASURERS.

AN ACT to Amend Section 2080 of the Revised Codes of the State of North Dakota, Providing for the Salary of the County Treasurers.

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

§ 1. **AMENDMENT.]** That section 2080 of the Revised Codes of North Dakota be amended so as to read as follows:

§ 2080. **SALARY, HOW DETERMINED.]** The county treasurer of each county shall be allowed at the time of his settlement all sums paid by him for printing such advertisements as he is required to have done, at the rates prescribed by law; and all sums paid by him for blank books and stationery necessarily used in his office, and shall receive for his services such sums as may be allowed by law for the collection and paying over all moneys collected or received by him for the leasing, sale or interest on school or other state lands, and all other public moneys by him collected or received as such county treasurer for each years services as follows: Four and one-half cents on each dollar for the first ten thousand dollars;