

One assistant journal clerk, whose compensation shall be five dollars per day.

The journal of the house shall be completed and indexed by the chief clerk of the house within ten days after the adjournment thereof, and for such completion and indexing he shall be allowed the sum of fifty dollars. In addition to the above there shall be appointed by the speaker, when deemed necessary by the house, such assistant and enrolling and engrossing clerks as are actually necessary, who shall receive four dollars per day, and such janitors as may be deemed necessary by the house, and who shall receive three dollars per day.

§ 2. TIME TO TAKE EFFECT.] This act shall extend to and include all employes herein created, of the seventh legislative assembly, and such employes shall draw the compensation herein provided for from the day of their being sworn in.

§ 3. EMERGENCY.] Whereas, an emergency exists in this that some of the officers herein provided for are actually employed in the present legislative assembly and there is no existing law regulating the same, therefore this act shall take effect and be in force from and after its passage and approval.

Approved January 21, 1901.

LIENS.

CHAPTER 118.

[S. B. 105.]

LIENS.

AN ACT to Amend Section 4680 of Article 2, Chapter 72, of the Revised Codes of the State of North Dakota, for the Year 1899, Entitled Liens in General.

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

§ 1. AMENDMENT.] That section 4680 of article 2, chapter 72, of the Revised Codes of the state of North Dakota for the year 1899, be amended so as to read as follows:

§ 4680. LIENS ON FUTURE INTEREST.] An agreement may be made to create a lien upon property not yet acquired by the party agreeing to give the lien, or not yet in existence. In such case the lien agreed for attaches from the time when the party agreeing to give it acquired an interest in the thing to the extent of such interest; provided, however, that in case of a contract or agreement for a lien upon

the future earnings of man, animal or machinery, personal notice thereof in writing shall be served upon the party for whom such services are performed before the payment of such services, which said notice may be served and returned in the same manner as a summons in a civil action, and provided further, that in case of such agreement in regard to the earnings of machinery which is operated with man and animal, such lien shall not attach to more than fifty per cent of the gross earnings of such machinery, man and animal, and provided further, that the payment hereinbefore referred to shall not be construed so as to include claims or debts held by the person for whom such services are so performed against a person owning or operating said machinery.

Approved March 5, 1901.

LIBEL.

CHAPTER 119.

[S. B. 160.]

NEWSPAPER LIBEL.

AN ACT Defining Newspaper Libel and Providing for Demanding Remedy Before Action Can be Brought.

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

§ 1. DEFINING LIBEL. NEWSPAPERS.] Before any suit for libel can be brought against a newspaper, other than a libel of, or concerning a female, the party aggrieved must, at least three days before filing his complaint, serve notice on the publisher of such newspaper at the principal office of its publication, specifying the statement alleged to be false and defamatory, and then if on the trial it appears that the article was published in good faith, and its falsity was due to a misapprehension in regard to the facts, and a full and fair retraction of the erroneous statement was published in the next issue of the paper, or in the case of a daily paper within three days after the mistake was brought to the attention of the publisher, in as conspicuous a place and type as the original article, the plaintiff will be entitled to recover only such damage as he can show he has sustained to his property, business, trade, profession or occupation.

§ 2. DEMAND REMEDY BEFORE ACTION.] But if the libel is against a candidate for office, the retraction must also be made editorially, and