

had for such period, as a part of its equipments, at least one steam, hand or other fire engine, truck or hose cart, with a membership of at least fifteen persons for said period of eight months.

§ 2. SECRETARY TO NOTIFY TREASURER.] It shall be the duty of the secretary of the North Dakota Firemen's association to notify the treasurer of each city, town or village, entitled to the benefits of this article, on or before the first day of June each year, of the name of the treasurer of each department or separate organized company in good standing in the North Dakota Firemen's association.

Approved March 8, 1901.

VOUCHERS AND WARRANTS.

CHAPTER 209.

[S. B. 128.]

VOUCHERS TO BE NUMBERED.

AN ACT to Amend Section 338d of the Revised Codes of 1899, Relating to Vouchers Filed to be Consecutively Numbered and Paid.

§ 1. AMENDMENT.] That section 338d of the Revised Codes, 1899, be amended to read as follows:

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

§ 338d. VOUCHERS AND WARRANTS. HOW NUMBERED AND PAID.] All vouchers which shall be presented to the state auditor for any bills, claims or accounts against any funds in the treasury of this state, shall be numbered consecutively against such fund by the state auditor, in the order in which they shall be presented and filed, and a record shall be kept of the same. All warrants, orders or certificates which shall be issued by the state auditor, for or upon any such vouchers, and against any fund in the treasury of this state, shall be issued consecutively and in the same order that the state auditor shall have received the same. Each voucher shall show the postoffice address of the person in whose favor said warrant shall be made, and the state auditor shall mail said warrant to the address as given as soon as issued.

Approved March 5, 1901.

CHAPTER 210.

[S. B. 37.]

VOUCHERS AND WARRANTS.

AN ACT to Amend Section 338d of the Revised Codes of 1899, Relating to Vouchers and Warrants.

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

§ 1. VOUCHERS AND WARRANTS. HOW NUMBERED.] All vouchers which shall be presented to the state auditor for any bills, claims or accounts against any funds in the treasury of this state, shall be numbered consecutively against such fund by the state auditor, in the order in which they shall be presented and filed, and a record shall be kept of the same. All warrants, orders or certificates, which shall be issued by the state auditor, for or upon any such vouchers, and against any fund in the treasury of this state, shall be issued consecutively and in the same order that the state auditor shall have received the same, except when the appropriations made to any fund shall have been exhausted; also for state officers' salary and clerk hire. Each voucher shall show the postoffice address of the person in whose favor said warrant shall be made, and the state auditor shall mail said warrant to the address as given as soon as issued; provided, that none of the provisions of this section shall apply to moneys in the treasury appropriated for the maintenance of the state capitol. Provided, further, that the salary and expenses of the legislative assembly shall not be subject to the provisions of this section.

§ 2. EMERGENCY.] Whereas, an emergency exists, in that there is no provision in this law for the immediate payment of the expenses of the legislative assembly, therefore, this act shall take effect and be in force on and after its passage and approval.

Approved January 25, 1901.

CHAPTER 211.

[S. B. 57.]

PROVIDING FOR DRAWING OF WARRANTS BY STATE AUDITOR ON STATE TREASURER.

AN ACT to Provide for the Drawing of Warrants by the State Auditor Upon the State Treasurer.

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

§ 1. CLAIMS AGAINST STATE. AUDITOR TO DRAW WARRANTS ON STATE TREASURER. HOW.] It shall be the duty of the state auditor to

draw warrants on the state treasurer for the payment of money directed by law to be paid out of the treasury; which warrants shall be numbered consecutively in the order in which they are drawn; but no warrant shall be drawn unless authorized by law, nor unless there are funds in the treasury applicable to the payment thereof to meet the same; provided, that in case of emergency, and in anticipation of taxes already levied and in process of collection, the auditor, with the advice and consent of the governor and treasurer, may issue warrants in payment of duly authorized vouchers. Every warrant must be drawn upon the fund out of which it is payable and specify for what it is drawn and when the liability accrued.

§ 2. EMERGENCY.] Whereas, an emergency exists in that there is no adequate provision for providing for temporary deficiencies in the state treasury, therefore this act shall be in force and take effect upon its passage and approval.

Approved February 15, 1901.

WATER RIGHTS.

CHAPTER 213.

[H. B. 125.]

WATER RIGHTS.

AN ACT Regulating Water Rights for Irrigation Purposes.

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

§ 1. WATER RIGHTS ACQUIRED. HOW.] The right to the use of running water, flowing in the rivers, streams, canyons and ravines of this state, may be acquired by appropriation.

§ 2. MUST BE FOR USEFUL PURPOSES. RIGHT LEASES.] The appropriation must be for some useful or beneficial purpose, and when the appropriator, or his successor in interest, abandons and ceases to use the water for such purpose the right ceases; but questions of abandonment shall be questions of fact, and shall be determined as other questions of fact.

§ 3. MAY CHANGE PLACE OF DIVERSION AND USE.] The person entitled to the use of water may change the place of diversion, if others are not thereby injured, and may extend the ditch, flume, pipe or aqueduct, by which the diversion is made, to any place other than where the first use was made, and may use the water for other purposes than that for which it was originally appropriated.