

thousand feet of the mouth of any stream emptying into the above named rivers; provided, further, that pickerel are hereby considered a game fish and are therefore protected; but the members of the Game Board of Chief Game Wardens shall have the power and authority to allow seining of pickerel at such time and place as in their judgment it shall be beneficial to the waters of the State.

Approved March 7, 1919.

GARNISHMENT

CHAPTER 136.

(S. B. No. 206—Whitman.)

WITNESS FEES IN GARNISHMENT PROCEEDINGS.

An Act to Amend Section 1, Chapter 124, Session Laws, 1917, Relating to Witness Fees in Garnishment Proceedings.

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

Sec. 1. That Section 1, of Chapter 124 of the Session Laws of 1917 be and the same hereby is amended to read as follows:

Sec. 1. WITNESS FEES.) In all garnishment proceedings in the district court and county courts of increased jurisdiction, the plaintiff, when the garnishment summons is served upon the garnishee, shall tender to the garnishee, his traveling fees and fees for one day's attendance which fee shall be the same as witness fees in the district court. If the same be not paid or tendered to the garnishee, he shall not be obliged to appear and answer or file any affidavit, or be otherwise liable as garnishee in the action, provided, however, that where the garnishee is a foreign corporation and services made upon the Secretary of State or Commissioner of Insurance that it shall not be necessary to tender traveling fees either from the home office of the corporation or from the Capitol of this State, but that in lieu thereof, there shall be paid by the plaintiff to the Secretary of State or Commissioner of Insurance, the sum of \$2.10 to be remitted to the garnishee; return of service shall show the fact that the fee herein provided was duly tendered to the garnishee at the time of service.

Approved February 28, 1919.