

Corporate Stock.

CHAPTER 10.

AN ACT to Amend Section Four Hundred (400) of the Civil Code, Entitled
"Corporations"

Be it Enacted by the Legislative Assembly of the Territory of Dakota :

§ 1. CORPORATION HOLDING STOCK.] That section 400 of the Civil Code, be and the same is hereby amended by adding thereto the following: "Or by the unanimous consent in writing of all its stockholders in such manner and for such price or consideration as the said stockholders may unanimously decide upon."

ENDORSED.—Received at Executive Office, Feb. 24th, 1883, at 3 P. M.

Note by the Secretary of the Territory.

The foregoing act having been presented to the Governor of the Territory for his approval, and not having been returned by him to the House of the Legislative Assembly in which it originated, within the time prescribed by the Organic Act, has become a law without his approval.

GEO. H. HAND,
Secretary of the Territory.

Costs in Civil Actions.

CHAPTER 11.

AN ACT Relating to Costs in Civil Actions.

Be it Enacted by the Legislative Assembly of the Territory of Dakota :

§ 1. AMOUNT OF COSTS ALLOWED.] When allowed, the costs mentioned in section three hundred and seventy-seven of the Code of Civil Procedure, shall be as follows:

1. To the plaintiff, for all proceedings before notice of trial in

actions arising on contract for the recovery of money only, five dollars; in other actions, ten dollars; for all proceedings after notice of and before trial, three dollars; for each additional defendant served with process, not exceeding ten, one dollar.

2. To the defendant, for all proceedings before notice of trial, five dollars; and for all proceedings after notice of and before trial, three dollars.

3. To either party, when a new trial shall be had, for all proceedings after granting of and before such new trial, five dollars; for attending upon and taking the deposition of a witness conditionally or attending to perpetuate his testimony, two dollars; for drawing interrogatories to annex to a commission for the taking of testimony, two dollars; for making and serving a case, or case containing exceptions, five dollars, except that when the case shall necessarily contain more than fifty folios, there shall be allowed two dollars in addition thereto.

4. For every trial of an issue of fact, five dollars.

5. To either party, on appeal to the Supreme Court, before argument, five dollars; for argument, fifteen dollars; and when a judgment is affirmed, the court may, in its discretion, also award damages for the delay, not exceeding ten per cent. on the amount of the judgment.

6. To either party, for every term not exceeding five, at which the cause is necessarily on the calendar, and is not tried, or is postponed by order of the court, three dollars; and for every term not exceeding five, excluding the term at which the cause is argued in the Supreme Court, five dollars.

§ 2. WHEN THIS ACT NOT TO APPLY.] That none of the costs provided in this act shall be allowed to any plaintiff in a judgment upon a written contract for the payment of attorney's fees, executed before the passage of this act.

§ 3. REPEAL.] Section 378 of chapter fifteen of the Code of Civil Procedure, be and the same is hereby repealed.

§ 4. All acts and parts of acts in conflict with this act are hereby repealed.

§ 5. This act shall take effect and be in force from and after its passage and approval.

Approved, March 2, 1883.