

BAIL.

CHAPTER 21.

COSTS OF JUSTIFICATION.

AN ACT, To Amend Section 165, of the Code of Civil Procedure.

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

§ 1. EXAMINATION OF BAIL.] That Section one hundred and sixty-five of Code of Civil Procedure, be and the same is hereby amended by adding thereto the following words: "The costs of the justification shall be paid by the party offering the bail, if same is found not sufficient, but if sufficient, then the party excepting shall pay the costs of the justification." The costs of such justification shall be returned by such officer with his report of the same, and shall be taxed by the court in which the action is pending, as other costs are taxed.

§ 2. EFFECT WHEN.] This act shall take effect and be in force from and after its passage and approval.

Approved, February 28, 1889.