

CONTINUANCE OF CASES.

CHAPTER 47.

[H. B. 79.]

CONTINUANCE OF CASES.

AN ACT to Provide for Continuance of Cases When an Attorney in the Case is a Member of the State Legislature or Any Party to the Pending Suit is a Member of the Legislature.

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

§ 1. CASES, WHEN CONTINUED.] In all suits at law or in equity pending in any court of this state at any time when the legislature is in session, it shall be a sufficient cause for a continuance of said suit to a succeeding general term of said court if it shall appear to the court by affidavit of the attorney that any party applying for such continuance, or any attorney, solicitor or counsel of such party is a member of either house of the legislature and in actual attendance on the sessions of the same at the beginning of the term that said case is set for and that the attendance of such party, attorney, solicitor or counsel in court is necessary to the fair and proper trial of such suit, and on the filing of such affidavit the court must continue such suit to the next succeeding general term of said court. Such affidavit shall be sufficient, if made at any time during the session of the legislature, and before the first day of the term of court at which said case is set for trial showing that at the time of making the same such party, attorney, solicitor or counsel is in actual attendance upon such session of the legislature.

§ 2. EMERGENCY.] Whereas, an emergency exists in this that there is no law which provides for the continuance of cases where the attorney or attorneys engaged therein are members of the legislature; therefore, this act shall take effect and be in force from and after its passage and approval.

Approved February 10, 1899.