

SUPREME COURT.

CHAPTER 193.

[S. B. No. 127—Little.]

REGULATING TERMS OF THE SUPREME COURT.

AN ACT to Amend Section 377 of the Revised Codes of 1899, Relating to General Terms of the Supreme Court, and Section 378 of the Revised Codes of 1899, Relating to Procedure Therein.

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

§ 1. AMENDMENT.] That section 377 of the revised codes of 1899, relating to general terms of the supreme court, be and the same is hereby amended so as to read as follows:

§ 377. GENERAL TERMS. WHEN HELD.] There shall be two general terms of the supreme court held each year, to be known as the March and September terms, and to consist of two sessions each. The first session of the March term shall be held in the city of Fargo, county of Cass, commencing on the fourth Tuesday in March of each year. The second session shall be held in the city of Bismarck, county of Burleigh, commencing on the fourth Tuesday in April of each year. The first session of the September term shall be held in the city of Grand Forks, county of Grand Forks, commencing on the third Tuesday in September of each year. The second session shall be held in the city of Bismarck, county of Burleigh, commencing on the third Tuesday of October of each year. Such sessions of the supreme court to be held in the city of Fargo and the city of Grand Forks, shall be held in some suitable place, such place to contain suitable and convenient facilities for the safe keeping of the records of said court, all to be provided by the county commissioners of the county in which such city is located, and in case such place is not provided, without expense to the state, the judges of such court, or a majority thereof, shall adjourn such session to the city of Bismarck.

§ 2. That section 378 of the revised codes of 1899, relating to appeals, motions and hearings in the supreme court, be and the same is hereby amended so as to read as follows:

§ 378. APPEALS, MOTIONS AND HEARINGS.] All appeals, motions and hearings of all kinds, except motions for admission to the bar on certificate or by examination, shall be held in the city of Bismarck as a matter of course, unless notice in writing shall be served by either side on counsel for the opposite party, and filed with the clerk of the supreme court at least twenty days before the opening

of any general term, to the effect that such party desires his matter to be heard at the first session of the ensuing term, designating in which place and the time of such hearing, in which event the matter shall stand for hearing at the place so designated.

All motions in cases upon the calendar for the Bismarck session of either term shall be noticed for, and heard at Bismarck unless, by consent of parties, they are taken up elsewhere.

The court may, by order, for the convenience of parties, set any matter down for hearing at either Bismarck, Fargo or Grand Forks.

§ 3. REPEAL.] All acts and parts of acts in conflict with the provisions of this act are hereby repealed.

§ 4. EMERGENCY.] Whereas, it is necessary that the sessions of the supreme court to be held at Bismarck, Grand Forks and Fargo, and the procedure on appeals, motions and hearings therein be changed, an emergency exists, and this act shall take effect and be in force from and after its passage and approval.

Approved March 7, 1903.

CHAPTER 194.

[S. B. No. 120—Little.]

SALARIES AND EXPENSES OF JUDGES OF SUPREME COURT.

AN ACT Fixing the Salaries and Providing for the Payment of Necessary Expenses for the Judges of the Supreme Court of the State of North Dakota.

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

§ 1. PERSONAL EXPENSES.] Each judge of the supreme court shall, during his present term of office, receive the sum of one hundred dollars per month for the purpose of defraying the personal expenses of such judge when away from home in the discharge of the duties pertaining to his office, and for other necessary expenses. Such amount to be payable monthly without the filing of any itemized statement; provided, that the provisions of this section shall not apply to judges hereafter elected.

§ 2. SALARY.] The judges of the supreme court shall receive an annual salary of five thousand dollars, the payment thereof to begin at the expiration of the present term of each of the present incumbents, and until the expiration of the present term of each of said judges he shall receive an annual salary of four thousand dollars.

§ 3. REPEAL.] All acts or parts of acts in conflict with this act are hereby repealed.

§ 4. EMERGENCY.] Whereas, an emergency exists in that there is no provision of law providing for the payment of the necessary

expenses of judges of the supreme court, therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 19, 1903.

SURETY AND TRUST COMPANIES.

CHAPTER 195, [H. B. No. 33—Buttz.]

REGULATING SURETY AND TRUST COMPANIES.

AN ACT to Amend Section 3258f, 3258m and 3258p of the Revised Codes, Relating to the Control, Management and Powers of Surety and Trust Companies.

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

§ 1. AMENDMENT.] That section 3258f of the revised codes, be and the same is hereby amended to read as follows:

§ 3258f. CORPORATE POWERS.] Every corporation organized under the provisions of this chapter, and qualified as provided by section 3258c, shall have all the general powers and privileges of corporations generally as heretofore or hereafter provided by the general laws of the state of North Dakota, and in addition thereto, and without being required to further qualify under the laws relating to banking and insurance corporations, except as in this chapter provided, shall have special power and authority:

1. To acquire, lease, purchase, own, hold, use and improve, mortgage, lease, sell and convey such real estate and personal property as may be necessary for the convenient transaction of its business, and for the use and occupation of its officers, agents and employes, and the safe keeping and investment of its assets, deposits and property held in trust. Any estate or interest in real estate which such corporation shall acquire under and by virtue of the foreclosure of any deed of trust, mortgage, or other security, or by the compromise, compounding or settlement of any obligation or security, or otherwise, in the course of its legitimate business, whether as owner or trustee, it may continue to own, hold, use, occupy, lease, bargain, sell and convey the same, as the directors may deem best for the interests of such company, or of the particular estate or trust to which the same belongs; and to that end, it may become a purchaser at any foreclosure sale, or sale under decree or judgment, to which it as a party, as trustee or otherwise. But no part of its capital, accumulations, deposits, trust funds, property or security owned or held by such company, in trust or otherwise, shall be invested in real estate,