

DIVORCE

FORTY-SIX CHAPTER 121.

[S. B. No. 252—Albrecht.]

INSANITY CAUSE FOR DIVORCE.

AN ACT to Amend Section 4380 of the Compiled Laws of North Dakota to the Year 1913, Relating to Causes for Divorce.

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

§ 1. AMENDMENT.] That Section 4380 of the Compiled Laws of North Dakota for the year 1913 is hereby amended to read as follows:

§ 4380. CAUSES FOR DIVORCE.] Divorces may be granted for any of the following causes:

1. Adultery.
2. Extreme Cruelty.
3. Willful Desertion.
4. Willful Neglect.
5. Habitual Intemperance.
6. Conviction of Felony.

7. Insanity for a period of five years, the insane person having been an inmate of a state institution for the insane in the State of North Dakota, or an inmate of a state institution for the insane in some other state for such period, and affected with any one of the following types of insanity; paranoia, paresis, dementia præcox, Huntington's chorea, and epileptic insanity; *provided*, that no divorce shall be granted because of insanity until after a thorough examination of such insane person by three physicians who are recognized authorities on mental diseases, one of which physicians shall be the superintendent of the State Hospital for the Insane, the other two physicians to be appointed by the court before whom the action is pending, all of whom shall agree that such insane person is incurable; *provided*, however, that no divorce shall be granted to any person whose husband or wife is an inmate of a state institution in any other than the State of North Dakota, unless the person applying for such divorce shall have been a resident of the State of North Dakota for at least five years previous to the passage of this Act.

§ 2. EMERGENCY.] An emergency is hereby declared to exist and this Act shall take effect and be in force from and after its passage and approval.

Approved, March 8, 1915.

CHAPTER 122.

[H. B. No. 327—Wiley.]

DISSOLUTION OF MARRIAGE.

AN ACT to Amend and Re-enact Section 4398 of the Compiled Laws of North Dakota for the Year 1913, the Same being Section 4067 of the Revised Codes of 1905, Relating to the Dissolution of Marriage.

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

§ 1. AMENDMENT.] That Section 4398 of the Compiled Laws of North Dakota for the year 1913, the same being Section 4067 of the Revised Codes of 1905, be amended so as to read as follows:

§ 4398: TERM OF RESIDENCE.] A divorce must not be granted unless the plaintiff has in good faith been a resident of the state for twelve months next preceding the commencement of the action and is either a citizen of the United States or has declared his intention to become such or is an Indian. *Provided*, however, that where the defendant is an Indian a copy of the summons and complaint in such divorce action shall be served upon the superintendent of the reservation on which the defendant resides in like manner as upon the defendant.

§ 2. REPEAL.] All Acts and parts of Acts in conflict with this Act are hereby expressly repealed.

§ 3. EMERGENCY.] Whereas, an emergency exists in that there is no definite provision of law permitting an Indian who has not become a citizen of the United States to procure a divorce, therefore, this Act shall take effect and be in force from and after its passage and approval.

Approved, March 5, 1915.

DRAINS

CHAPTER 123.

[H. B. No. 148—Myhre.]

ESTABLISHMENT OF DRAINS.

AN ACT to Amend Section 2465 of the Compiled Laws of the State of North Dakota for the Year 1913, Relating to Drains, the Establishment Thereof, and Appeals Therefrom.

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

§ 1. AMENDMENT.] That Section 2465 of the Compiled Laws of the State of North Dakota for the year 1913 be amended to read as follows:

§ 2465. If upon the examination by the Board of Drain Com-