

23. Entering voluntary appearance of defendant, twenty-five cents.
 24. Issuing attachment, fifty cents.
 25. Entering motion or order, ten cents.
 26. Order of reference to arbitrators, fifty cents.
 27. Entering award of arbitrators, twenty-five cents.
 28. Commission on money collected on judgment without execution shall be one per cent. on the amount.
- Approved, February 13, 1915.

JUVENILE COURT

CHAPTER 179.

[S. B. No. 210—Mallough.]

JUVENILE COURT.

AN ACT to Amend Chapter 177 of the Laws of 1911 (Same Being Sections 11402 to 11428, inclusive, Compiled Laws 1913), Entitled "Juvenile Court," by Adding Thereto Certain Provisions Giving the Court Power when Necessary to Appoint District Juvenile Commissioners, Guardians ad litem, and to Make Rules and Regulations Prescribing their Duties and Fixing their Compensation; also to Enact Such Other Provisions Which are Best Calculated to Carry out the Purpose of said Chapter 177.

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

§ 1. In order to more fully carry out the provisions of Chapter 177 of the Laws of the State of North Dakota for the year 1911, entitled "Juvenile Court," (same being Sections 11402 to 11428, inclusive, Compiled Laws 1913) the district judges of the different districts, if in their judgment the exigency of the situation requires, shall have the power to appoint some suitable and discreet person of either sex of good moral character, as a juvenile commissioner. Said commissioner shall have power to administer oaths; take acknowledgments of instruments; receive complaints and issue warrants for the arrest of persons thereon; to examine fully into the merits of each case; issue subpoenas; compel the attendance of witnesses before him, and to report them to the district judge for contempt proceedings for non-attendance or refusal to be sworn or testify as provided by Section 8200 Compiled Laws 1913; to make such temporary order for the custody and control of the child or children thus brought before him, as he may deem proper, and generally have the usual powers of a referee as provided by Article VII of Chapter 11 of the Code of Civil Procedure for the trial of civil actions, in addition to the powers herein specially given. *Pro-*

vided, however, that when in the opinion of such commissioner or that of the court a final order for the custody or control of such child or children becomes necessary, either by sending the same to the Reform School or other institution of this state; or to deprive the parents of their custody, and giving the same to some other person or persons, either for the purpose of temporary control or permanent adoption, it shall be the duty of such commissioner to make findings and report the same with his recommendations to the district judge, who shall fix a reasonable time and place for hearing, and make such final judgment or order in the case as he shall deem proper and right. The venue of all complaints shall be in the county where the child resides or where the cause for which it is sought to arrest such child exists or was committed. All complaints shall be made in the name of the state as plaintiff and the child as defendant. The action thus brought shall be deemed pending in the district court of such county from the time of filing the complaint in said court until finally disposed of by the district judge. Final hearings may be had either at the county seat of the county where the venue is laid, or in the county where the district judge has his permanent chambers, as such judge shall direct.

§ 2. At the hearings heretofore referred to, whether before the juvenile commissioner or court, any parent, guardian or other person showing that they have an interest in said proceedings, may appear and be heard upon the merits of the case. The court shall have, under this Act, authority to appoint guardians ad litem who shall have full power to appear for such child or children, and consent to their adoption or take such other action as may be deemed best for the temporary as well as permanent interests of his said wards; and said courts shall also have all the power with reference to the appointment of guardians as is now provided by law and especially by Section 7399 Compiled Laws 1913.

§ 3. Said juvenile commissioner so appointed shall keep a record of all his proceedings in a suitable docket kept for that purpose. All necessary books, blanks, place for doing business, stationery and postage for the use of said commissioner in his official business for each county shall be furnished at the expense of the respective counties, by the Board of County Commissioners thereof.

§ 4. Said juvenile commissioners shall receive as full compensation for their services such an amount per diem as shall be approved by the district judge for all the time actually and necessarily employed in the duties of their office, not in any case exceeding the sum of five dollars per day. Such per diem and expenses to be apportioned by said judge between the several counties where the work originates or is done. Such compensation to be paid monthly by the County Treasurers of such counties respectively on bills duly made out and verified as other bills or accounts against the county, and upon an order of the district judge.

§ 5. The purpose and intent of this Act is not to take from the

court or judge any power he may now possess, but rather to supplement the efficiency of the work of the district court or judge by casting upon the juvenile commissioner the labor of caring for details and making it only necessary for the judge to act when he can or when it becomes necessary to exercise a judicial function by trying a case or making a final order, and to that end said commissioners shall be subject to appointment and removal by the district judge as he may deem necessary.

§ 6. EMERGENCY.] Owing to the fact that the crowded condition of the work of the district judges renders it impossible for them to give proper attention to the details of the juvenile courts, an emergency exists and therefore this Act shall take effect and be in force from and after its passage and approval.

Approved, March 9, 1915.

LAND CONTRACT

CHAPTER 180.

[S. B. No. 124—Steele.]

LAND CONTRACTS—FORECLOSURE OF.

AN ACT to Amend Section 8122 of the Compiled Laws of North Dakota for the Year 1913, Relating to Foreclosure of Land Contracts.

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

§ 1. That Section 8122 of the Compiled Laws of North Dakota for 1913 be and the same is hereby amended and re-enacted to read as follows:

§ 8122. TIME ALLOWED.¹ Such vendee, or purchaser, or his assigns, shall have thirty (30) days after the service of such notice upon him in which to perform the conditions or comply with the provisions upon which the default shall have occurred and upon such performance and upon making such payments, together with the costs of service of such notice, such contract or other instrument shall be reinstated and shall remain in full force and effect the same as if no default had occurred therein. If, however, such vendee, or purchaser, or his assigns, shall not complete such performance or make such payment within the thirty (30) days herein provided, then and in that event the contract shall be terminated and shall not be re-instated by any subsequent offer of performance or tender of payment. No provision in any contract for the purchase of land or an interest in land shall be construed to obviate the necessity of giving the aforesaid notice and no contract shall terminate until such notice is given, any provision in such contract to the contrary