

subpoenas in the name of the State, commanding the persons whose name shall be given to such Clerk by the Board or by such accused person to appear before the Board at a certain time and place fixed by the Board for such hearing and then and there to testify upon such hearing. If any person so commanded to appear and testify shall fail or refuse to obey such subpoenas, he shall be dealt with by said District Court in the same manner and to the same effect as though such subpoenas had commanded such person to appear and testify in a cause or trial in said Court. Such persons so commanded to appear and testify shall be entitled to the same fees as witnesses in District Court, and such subpoena shall be served in the manner provided by law for the service of subpoenas for trials in said Courts and shall be substantially the same form. Testimony of witnesses not subject to subpoena may be taken, upon notice, certified and returned to the secretary-treasurer of the Board in the same manner as is provided by the law applicable to civil cases in District Court.

§ 2. SAVING CLAUSE.] If any clause, sentence or part of this Act shall for any reason be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not impair nor invalidate the remainder of the Act, but shall be confined in its operation to that part adjudged invalid.

Approved February 16, 1937.

DIVORCE

CHAPTER 128

H. B. No. 324—(Knudson of Steel and Leum)

PROCEDURE IN DIVORCE ACTIONS

An Act to amend and re-enact Section 4400 of the Supplement to the 1913 Compiled Laws of North Dakota, relating to the affirmative proof required in divorce actions.

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

§ 1. AMENDMENT.] That Section 4400 of the Supplement to the 1913 Compiled Laws of North Dakota is hereby amended and re-enacted to read as follows:

§ 4400. Affirmative proof required. No divorce can be granted upon the default of the defendant, or upon the uncorroborated statement, admission or testimony of the parties, or upon any statement or finding of fact made by a referee; but the Court must in addition to any statement or finding of the referee require proof of the facts alleged.

Approved March 17, 1937.