

Concerning
jurors.

provided further, That this code shall not be construed as repealing an act entitled "An act respecting grand and petit jurors of the district courts," approved December 24, 1867.

Procedure not
provided for by
this code to be
according to
common law.

SEC. 526. That from and after the taking effect of this act, the procedure, practice and pleadings in the district courts of this territory, in criminal actions or in matters of a criminal nature, not specifically provided for in this code, shall be in accordance with the procedure, practice and pleadings of the common law, and assimilated as near as may be with the procedure, practice and pleadings of the United States or federal side of said courts.

When to take
effect.

SEC. 527. This act shall take effect at noon on the tenth day of March, A. D., one thousand eight hundred and seventy-five.

Approved, January 15, 1875.

CHANGE OF NAMES.

CHAPTER XXXVI.

DISTRICT COURTS AUTHORIZED TO CHANGE NAMES.

AN ACT to authorize district courts to change the names of persons, towns, villages and cities within this territory.

Be it enacted by the Legislative Assembly of the Territory of Dakota:

District courts
may change
names.

SECTION 1. That the district courts shall have authority to change the names of persons, towns, villages and cities within this territory.

Proceedings
necessary to
change the
name of per-
sons.

SEC. 2. That any person desiring to change his or her name may file a petition in the district court of the district in which such person may be a resident, setting forth:

1st. That the petitioner has been a *bona fide* citizen of such district for at least six months prior to the filing of the petition;

2d. The cause for which the change of petitioner's name is sought;

3d. The name asked for, and it shall be the duty of the judge of the district court at any term thereof after the filing of such petition, upon being duly satisfied by proof in open court, of the truth of the allegations set forth in the petition, and that there exists proper and reasonable cause for changing the name of the petitioner, and that thirty days previous notice of the intended application had been duly given in some newspaper printed in such district therein, to order and direct a change of name of such petitioner, and that an order for the purpose be made in the journals of such court.

SEC. 3. That whenever it may be desirable to change the name of any town, village or city in any county of the territory, a petition for that purpose may in like manner be filed in the district court of such district, signed by a majority of the legal voters of such town, village or city, setting forth the cause why such change is desirable, and the name prayed for to be substituted, and the court upon being satisfied by proof that the prayer of the petitioners is reasonable and just, and that notices as required in the foregoing section had been given, and that two-thirds of the legal voters of such town, village or city desire the said change, and that there is no other town, village or city in the territory of the name prayed for, may order the change as required in such section.

Changing names of towns villages, etc.

SEC. 4. All proceedings under this act shall be at the cost of the petitioner or petitioners for which fee, bill or execution may issue as in 'civil cases: *Provided, always,* That any change of names under the provisions of this act shall not in any manner affect or alter any right of action, legal process or property.

Petitioner to pay costs.

Right of action not affected.

SEC. 5. This act shall take effect from and after its passage.
Approved, January 14, 1875.

When to take effect.