

CHALLENGING JURY.

CHAPTER 39.

[H. B. 39.]

CHALLENGING JURY.

AN ACT to Amend Section 8166 of the Revised Codes of North Dakota, Relating to Challenging the Jury in Criminal Cases.

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

§ 1. AMENDMENT.] That section 8166 of the Revised Codes of North Dakota be, and the same is hereby amended to read as follows:

§ 8166. HOW CHALLENGE TAKEN—CAUSE STATED.] In a challenge for implied bias, one or more of the causes stated in section 8164 must be alleged. In a challenge for actual bias, the cause stated in the second subdivision of section 8163 must be alleged; but no person shall be disqualified as a juror by reason of the fact that he may have heard from others or read in newspapers or public journals, any statement or statements with regard to the case to be submitted to the jury, if it shall appear to the satisfaction of the court that the impression remaining upon the mind of such person from the statements so communicated to him, will not prevent him from trying the case fairly and impartially. The challenge may be oral, but must be entered upon the minutes of the court.

§ 2. EMERGENCY.] *Whereas*, An emergency exists in that there is no proper and adequate law for the selection of jurors in the trial of criminal causes, for the reason that the law as it now exists in relation thereto prevents the selection as jurors, in the trial of criminal causes of a large class of citizens who, by reason of reading the public press and forming impressions on criminal matters reported therein, are precluded from acting as jurors in the trial of such actions; *therefore*, this act shall take effect and be in force from and after its passage and approval.

Approved, February 25th, 1897.