

and briefs, which typewritten abstracts and briefs shall be prepared in accordance with the rules of the supreme court.

§ 2. REPEAL.] All acts and parts of acts inconsistent with this act are hereby repealed.

§ 3. EMERGENCY.] Whereas, there is now no provision of law authorizing the use of typewritten abstracts and briefs on appeals to the supreme court in criminal cases, this act shall take effect and be in force from and after its passage and approval.

Approved March 19, 1907.

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## ACTIONS

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### CHAPTER 4.

[S. B. No. 29—Purcell]

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#### EXAMINATION OF ADVERSE PARTY.

AN ACT to Amend Section 7252 of the Revised Codes of 1905, Relating to Examination of an Adverse Party.

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

§ 1. AMENDMENT.] Section 7252 of the revised codes of 1905, relating to the examination of an adverse party, is amended and re-enacted so as to read as follows:

§ 7252. EXAMINATION ADVERSE PARTY.] A party to the record of any civil action or proceeding, or a person for whose immediate benefit such action or proceeding is prosecuted or defended, or the directors, officers, superintendent or managing agents of any corporation which is a party to the record in such action or proceeding, may be examined upon the trial thereof as if under cross-examination at the instance of the adverse party or parties or any of them, and for that purpose may be compelled in the same manner and subject to the same rules for examination as any other witness to testify, but the party calling for such examination shall not be concluded thereby, but may rebut it by counter testimony.

Approved February 19, 1907.

## CHAPTER 5.

[S. B. No. 271—Purcell]

## EXAMINATION OF PARTIES.

AN ACT to Amend Section 7246 of the Revised Codes of 1905, Relating to Examination of Parties.

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

§ 1. AMENDMENT.] Section 7246 of the revised codes of North Dakota for 1905 is amended and re-enacted to read as follows:

§ 7246. EXAMINATION BEFORE TRIAL.] The examination instead of being had at the trial as provided in the last section may be had at any time before the trial at the option of the party claiming it before a judge of the court, or by a referee appointed by the judge of the court for that purpose, on a previous notice to the party to be examined and any other adverse party of at least five days, unless for good cause shown the judge orders otherwise; but the party to be examined shall not be compelled to attend in any other county than that of his residence or where he may be served with a subpoena for his attendance. Where a referee shall be so appointed the provisions of article 7 of chapter 11 of the code of civil procedure, revised codes of 1905, shall be applicable thereto, and the referee shall take the testimony either himself or by a stenographer in his presence, which testimony shall be certified to by the referee.

Approved March 19, 1907.

## APPROPRIATIONS

## CHAPTER 6.

[S. B. No. 116—Hanna]

## AGRICULTURAL COLLEGE.

AN ACT Appropriating Money for Buildings, for Repairs and for Making Improvements at the North Dakota Agricultural College and Experimental Station at Fargo.

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

§ 1. APPROPRIATION.] There is hereby appropriated out of any moneys in the state treasury, not otherwise appropriated, the