

# TABLE OF CONTENTS

## VOLUME I

	Pages
Constitution of the United States.....	xxxix-li
Amendments to the constitution.....	lii-lxi
The enabling act .....	lxii-lxx
Constitution of North Dakota.....	lxxi-cxvii
Amendments to the constitution.....	cxviii-cxxii
Proposed amendments to the constitution.....	cxxiii-cxxvii
Proclamation admitting North Dakota.....	cxxviii-cxxx
Index to constitution of North Dakota.....	cxxxii-cxxxv
Political code .....	3-1033
Civil code .....	1035-1695

## VOLUME II

Code of civil procedure.....	1697-2023
Probate code .....	2025-2126
Justices' code.....	2127-2162
Penal code .....	2163-2379
Code of criminal procedure.....	2381-2565
Index .....	2567-end

## VOLUME I

### POLITICAL CODE

	Section
Title .....	1
CHAPTER 1. THE SOVEREIGNTY OF THE STATE AND THE POLITICAL RIGHTS AND DUTIES OF ALL PERSONS SUBJECT TO ITS JURISDICTION.....	2-21
CHAPTER 2. CONGRESSIONAL DISTRICTS .....	22-21
CHAPTER 3. THE LEGISLATIVE ASSEMBLY.....	26-110
Article 1. Meeting and organization of the legislative assembly .....	25-33
Article 2. Legislative officers and employees.....	34-43
Article 3. Senatorial and representative districts and legislative apportionment .....	44
Article 4. Printing and distribution of laws and documents .....	45-108
Article 5. Engrossing and enrolling bills.....	109, 110
CHAPTER 4. EXECUTIVE DEPARTMENT .....	111-235
Article 1. The governor .....	111-117
Article 2. The lieutenant-governor .....	118-120
Article 3. The secretary of state.....	121-131
Article 4. The state auditor .....	132-142

# TABLE OF CONTENTS.

## POLITICAL CODE — Continued.

CHAPTER	Section	Section
<b>CHAPTER 4.</b>	<b>EXECUTIVE DEPARTMENT—Continued.</b>	
Article 5.	The state treasurer .....	143-156
Article 6.	The attorney-general .....	157-162
Article 7.	The commissioner of agriculture and labor..	163-171
Article 8.	The commissioner of insurance.....	172-175
Article 9.	Hail insurance department.....	176-189a
Article 10.	State bonding department.....	190-200a
Article 11.	Fire marshal department .....	201-223
Article 12.	The state examiner .....	224-235
<b>CHAPTER 5.</b>	<b>PUBLIC BOARDS .....</b>	<b>236-631E</b>
Article 1.	Board of control.....	236-283a
Article 2.	Board of university and school lands.....	284-298
Article 3.	Land commissioner .....	299
Article 4.	Appraisalment and sale of school lands.....	300-335
Article 5.	Lease of school lands.....	336-364
Article 6.	Examination of lands for lignite coal veins..	365-368
Article 7.	The state board of auditors and state depositaries .....	369-374
Article 8.	State auditing board.....	375
Article 9.	Board of trustees of public property.....	376-379
Article 10.	State Historical Society .....	380-385
Article 11.	White Stone Hills battlefield commission....	386-396
Article 12.	Boards of health.....	397-433
Article 13.	Vital statistics .....	434-457
Article 14.	Regulating the practice of medicine and surgery .....	458-471
Article 15.	For the promotion of medical science.....	472-474
Article 16.	Practice of pharmacy .....	475-506
Article 17.	State board of dental examiners.....	507-515
Article 18.	Practice of osteopathy.....	516-523
Article 19.	State board of examiners in optometry....	524-539
Article 20.	State board of embalmers.....	540-548
Article 21.	Board of accountancy.....	549-557
Article 22.	Barbers' examining board.....	558-572
Article 23.	Board of immigration .....	573-578
Article 24.	Board of railroad commissioners.....	579-601
Article 25.	Highway commission .....	602-607
Article 26.	Commissioners of deeds.....	608-610
Article 27.	Temperance commissioner .....	611-622
Article 28.	Commissioners of noxious weeds.....	623-631
Article 29.	Panama exposition commission.....	631a-631e
<b>CHAPTER 6.</b>	<b>STATE OFFICERS AND BOARDS.....</b>	<b>632-658c</b>
Article 1.	Miscellaneous provisions .....	632-645
Article 2.	Vouchers filed to be consecutively numbered and paid .....	646
Article 3.	Contingency fund .....	647-651
Article 4.	Clerk hire for state officers.....	652, 653
Article 5.	Appropriations, general .....	653a-653i
Article 6.	Standing appropriations .....	654-658
Article 7.	State engineer .....	658a-658c
<b>CHAPTER 7.</b>	<b>OFFICES AND OFFICERS.....</b>	<b>659-707</b>
Article 1.	Qualification for office.....	659-682
Article 2.	Vacancies and supplying the same.....	683-700
Article 3.	Deputies .....	701-707
<b>CHAPTER 8.</b>	<b>STATE BUDGET .....</b>	<b>708-710</b>
<b>CHAPTER 9.</b>	<b>AUDIT STATE DEPARTMENTS.....</b>	<b>711-714</b>

## TABLE OF CONTENTS.

### POLITICAL CODE — Continued.

		Section
<b>CHAPTER 10.</b>	<b>THE JUDICIAL DEPARTMENT.....</b>	715-850
Article 1.	The supreme court .....	715-721
Article 2.	The clerk of the supreme court.....	722-730
Article 3.	The supreme court reporter.....	731-737
Article 4.	Marshals of the supreme court.....	738-740
Article 5.	Bailiff for supreme court.....	741, 742
Article 6.	Distribution of supreme court reports.....	743-745
Article 7.	The district courts .....	746-769
Article 8.	General provisions relating to district courts.	770-773
Article 9.	Court stenographers .....	774-781
Article 10.	State board of bar examiners.....	782-793
Article 11.	Attorneys and counselors at law.....	794-813
Article 12.	Jurors .....	814-832
Article 13.	Administration of oaths.....	833, 834
Article 14.	Notaries public .....	835-850
<b>CHAPTER 11.</b>	<b>ELECTIONS . . . . .</b>	851-1104
Article 1.	Primary elections .....	851-898
Article 2.	Regulating caucuses and nominations for office where primary election provisions do not apply .....	899-901
Article 3.	Nonpartisan nomination and election of mu- nicipal officers .....	902, 903
Article 4.	Nonpartisan judiciary .....	904-906
Article 5.	Nonpartisan nomination and election of state superintendent of public instruction and county superintendent of schools.....	907-909
Article 6.	Primary election of national delegates.....	910-916
Article 7.	Governing party registration .....	917-919
Article 8.	Publication of candidates' names before primary election .....	920-922
Article 9.	Election privileges .....	923-944
Article 10.	General provisions .....	945-949
Article 11.	Election precincts .....	950
Article 12.	Election officers and their duties.....	951-956
Article 13.	Election supplies .....	957-980
Article 14.	Notice of election .....	981, 982
Article 15.	Conduct of elections .....	983-991
Article 16.	Absent voters .....	992-1004
Article 17.	Canvass of returns.....	1005-1032
Article 18.	Resignations and vacancies .....	1033-1036
Article 19.	Presidential electors .....	1037, 1038
Article 20.	Miscellaneous provisions .....	1039-1045
Article 21.	Contesting elections .....	1046-1058
Article 22.	Contest of election of presidential electors..	1059-1069
Article 23.	Contest of legislative elections.....	1070-1089
Article 24.	Registration of voters.....	1090-1104
<b>CHAPTER 12.</b>	<b>EDUCATION . . . . .</b>	1105-1529
	A. Codification of school laws.....	1105-1422
Article 1.	Superintendent of public instruction.....	1105-1120
Article 2.	County superintendent of schools.....	1121-1139
Article 3.	Common school districts.....	1140-1150
Article 4.	Election of officers in common school districts	1151-1159
Article 5.	Organization meetings and duties of common school officers.....	1160-1172
Article 6.	Powers and duties of common school boards.	1173-1207

## TABLE OF CONTENTS.

### POLITICAL CODE — Continued.

CHAPTER 12. EDUCATION—Continued.	Section
Article 7. School funds.....	1208-1221
Article 8. Taxes .....	1222-1228
Article 9. Special districts .....	1229-1285
Article 10. Independent school districts.....	1286-1314
Article 11. Board of education in certain cities.....	1315-1321
Article 12. Vacancies .....	1322-1326
Article 13. Equalization of indebtedness.....	1327-1331
Article 14. Bonds of common school districts.....	1332-1341
Article 15. Compulsory education and medical inspection	1342-1346
Article 16. Fines, forfeitures and penalties.....	1347-1356
Article 17. State board of examiners, examinations and certificates .....	1358-1377
Article 18. Duties of teachers.....	1378-1390
Article 19. Institutes and associations.....	1391-1396
Article 20. Free text books.....	1397-1399
Article 21. Special provisions.....	1400-1403
Article 22. Child labor.....	1404-1414
Article 23. Maintenance of educational institutions.....	1415-1420
Article 24. Certain acts legalized.....	1421, 1422
B. School laws not included in codification..	1423-1529
Article 1. State board of education.....	1423-1429
Article 2. High school aid.....	1430-1438
Article 3. Rural schools.....	1439-1450
Article 4. Thorough system of instruction in schools...	1451-1453
Article 5. State educational library.....	1454
Article 6. County agricultural and training school....	1455-1471
Article 7. School funds.....	1472-1488
Article 8. Construction of school buildings and inspec- tion, ventilation and sanitation thereof...	1489-1494
Article 9. Teachers' insurance and retirement fund....	1495-1528
Article 10. School officials and teachers prohibited from receiving commission.....	1529
CHAPTER 13. STATE LIBRARY COMMISSION.....	1530-1538
CHAPTER 14. EDUCATIONAL AND CHARITABLE INSTITUTIONS.....	1539-1796
Article 1. University of North Dakota.....	1539-1577
Article 2. Normal schools.....	1578-1595
Article 3. North Dakota academy of science.....	1596-1603
Article 4. Agricultural college .....	1604-1618
Article 5. Experiment stations.....	1619-1649
Article 6. Public health laboratory.....	1650-1656
Article 7. Serum institute.....	1657-1661
Article 8. Agricultural and geological survey.....	1662-1673
Article 9. School of forestry.....	1674-1679
Article 10. Nurseries, state forester.....	1679a-1679d
Article 11. School for the deaf and dumb.....	1680-1698
Article 12. Blind asylum.....	1699-1706
Article 13. Care of blind children.....	1707, 1708
Article 14. Institution for feeble minded.....	1709-1722
Article 15. Florence Crittenden home.....	1723-1724
Article 16. Industrial home .....	1725-1737
Article 17. Leasing portions of campuses of educational institutions .....	1738
Article 18. Appropriation requests to be printed.....	1739-1742
Article 19. Educational tax.....	1743-1746

## TABLE OF CONTENTS.

### POLITICAL CODE — Continued.

	Section
CHAPTER 14. EDUCATIONAL AND CHARITABLE INSTIUTIONS—Cont'd	
Article 20. State hospital for the insane.....	1747-1774
Article 21. Soldiers' home .....	1775-1796
CHAPTER 15. NORTH WING OF CAPITOL, AND STATE TROLLEY LINE	1797-1806
Article 1. North wing of capitol.....	1797-1803
Article 2. State trolley line.....	1804-1806
CHAPTER 16. UNIFORM SYSTEM OF ACCOUNTING.....	1807-1819
CHAPTER 17. GENERAL PROVISIONS RELATING TO PUBLIC INSTITU- TIONS . . . . .	1820-1828
Article 1. Flags to be displayed.....	1820
Article 2. Expenditures and transfer of funds.....	1821-1826
Article 3. Inventory of state property.....	1827
Article 4. Lignite coal to be used.....	1828
CHAPTER 18. CONSTRUCTION OF PUBLIC BUILDINGS.....	1829-1838
CHAPTER 19. FIREMEN'S ASSOCIATION .....	1839-1842
CHAPTER 20. STATE LIBRARY .....	1843-1846
CHAPTER 21. AGRICULTURAL EXPOSITIONS .....	1847-1880
Article 1. State fairs.....	1847-1859
Article 2. Missouri Slope Agriculture and Fair Associa- tion .....	1860-1866
Article 3. County fairs.....	1867-1874
Article 4. Duty of officers of fair associations.....	1875, 1876
Article 5. Farmers' institutes.....	1877-1880
CHAPTER 22. GOOD ROADS EXPERIMENT STATION.....	1881-1886
CHAPTER 23. FISH HATCHERY .....	1887-1888
CHAPTER 24. CENSUS . . . . .	1889-1902
CHAPTER 25. STATISTICS . . . . .	1903-1910
CHAPTER 26. GREAT SEAL OF THE STATE.....	1911-1913
CHAPTER 27. STATE FLOWER .....	1914
CHAPTER 28. STATE FLAG .....	1915
CHAPTER 29. MOTHER'S DAY .....	1916
CHAPTER 30. DEPOSITARY FOR STATE TITLES.....	1917
CHAPTER 31. HIGHWAYS, BRIDGES AND FERRIES.....	1918-2070
Article 1. Opening and vacating of highways.....	1918-1939
Article 2. General provisions.....	1940-1950
Article 3. Bridges .....	1951-1958
Article 4. Road supervisors .....	1959-1976
Article 5. Road duties of township supervisors.....	1977-1982
Article 6. Duties of state engineer and construction of highways and culverts.....	1983, 1984
Article 7. Duties of overseers of highways.....	1985-1990
Article 8. Appointment of county superintendents of highways . . . . .	1990A-1990L
Article 9. Appointment of township overseer of high- ways . . . . .	1990M-1990R
Article 10. Construction or improvement of roads by private associations .....	1991-1999
Article 11. Abandoned coal mines and wells.....	2000, 2001
Article 12. Noxious weeds .....	2002, 2003
Article 13. Highway labor and road tax.....	2004-2034
Article 14. Roads in cities.....	2035
Article 15. Grades of highways adjoining cities.....	2036
Article 16. Obstructing highways .....	2037
Article 17. Watering places on highways.....	2038-2040
Article 18. Ditches for draining highways.....	2041, 2042

## TABLE OF CONTENTS.

### POLITICAL CODE — Continued.

	Section
<b>CHAPTER 31. HIGHWAYS, BRIDGES AND FERRIES—Continued.</b>	
Article 19. Cattle-ways . . . . .	2043-2045
Article 20. Roads on line of city or village . . . . .	2046, 2047
Article 21. Right of way for highways . . . . .	2048-2050
Article 22. Law of the road . . . . .	2051-2054A
Article 23. Bridge penalties . . . . .	2055-2061
Article 24. Ferries . . . . .	2062-2070
<b>CHAPTER 32. STATE PARKS — ISLANDS IN MISSOURI RIVER . . . . .</b>	<b>2071</b>
<b>CHAPTER 33. TERMINAL ELEVATORS . . . . .</b>	<b>2072-2073</b>
<b>CHAPTER 34. REVENUE AND TAXATION . . . . .</b>	<b>2074-2346</b>
Article 1. Definitions of terms . . . . .	2074
Article 2. Taxable property . . . . .	2075-2077
Article 3. Exemptions . . . . .	2078, 2079
Article 4. Nonpartisan tax commission . . . . .	2080-2092
Article 5. Manner of listing property . . . . .	2093-2132
Article 6. Boards of equalization . . . . .	2133-2143
Article 7. Assessment of express and other companies . . . . .	2144-2147
Article 8. Rate of taxation and levy . . . . .	2148-2154
Article 9. The county treasurer and his duties . . . . .	2155-2163
Article 10. Tax paid by mistake . . . . .	2164
Article 11. Delinquency, penalty and lien of taxes, distress and sale . . . . .	2165-2188
Article 12. Tax sale . . . . .	2189-2205
Article 13. Tax deed . . . . .	2206-2214
Article 14. Abbreviations in descriptions and proceedings in case of false lists and returns . . . . .	2215-2224
Article 15. Assessment and tax levy in unorganized counties . . . . .	2225, 2226
Article 16. Taxing live stock of nonresident owners . . . . .	2227
Article 17. Legalizing irregularities in assessments and levies . . . . .	2228-2231
Article 18. Validating assessments since 1889 . . . . .	2232-2237
Article 19. Validating future assessments and tax levies . . . . .	2238-2241
Article 20. Assessment of railroad property . . . . .	2242-2246
Article 21. Assessment and taxation of public utilities . . . . .	2247-2252
Article 22. Taxation of bankrupt stocks . . . . .	2253-2255
Article 23. Taxation of grain . . . . .	2256-2259
Article 24. County commissioners to levy taxes in certain cases . . . . .	2260
Article 25. Gopher tax . . . . .	2261, 2262
Article 26. Taxation for promotion of diversified farming . . . . .	2263-2265
Article 27. Appropriations by counties to prevent spread of tuberculosis . . . . .	2266-2268
Article 28. Adjustment of delinquent taxes due the state from counties . . . . .	2269-2275
Article 29. Refunding of outstanding bonded and other indebtedness of the state . . . . .	2276-2280
Article 30. Tax for bonded indebtedness and sinking fund . . . . .	2281-2284
Article 31. State revenue bonds . . . . .	2285-2290
Article 32. Providing for assessment, levy and collection of taxes where taxable property for any reason escaped taxation for the year 1889 and prior years . . . . .	2291-2304

## TABLE OF CONTENTS.

### POLITICAL CODE — Continued.

	Section
<b>CHAPTER 34. REVENUE AND TAXATION—Continued.</b>	
Article 33. Protection of public credit.....	2305
Article 34. Property sold to state or county for taxes..	2306-2346
<b>CHAPTER 35. THE MILITARY CODE.....</b>	2347-2442
<b>CHAPTER 36. MINES AND MINING.....</b>	2443-2460
Article 1. Location and size of claims.....	2443-2458
Article 2. Disputed mining property .....	2459-2460
<b>CHAPTER 37. DRAINS . . . . .</b>	2461-2495
<b>CHAPTER 38. POLICE OF THE STATE.....</b>	2496-3176
Article 1. Support of the poor.....	2496-2528
Article 2. Asylum and poor farm.....	2529-2544
Article 3. For relief of needy settlers.....	2545, 2546
Article 4. Care of the insane.....	2547-2567
Article 5. Counties liable for expenses of insane.....	2568-2579
Article 6. Postal rights of insane persons.....	2580-2582
Article 7. State tuberculosis sanitarium .....	2583-2593
Article 8. Marks and brands.....	2594-2606
Article 9. Herding and driving .....	2607-2616
Article 10. Herd law .....	2617-2636
Article 11. Sheep husbandry .....	2637-2643
Article 12. State wolf bounties.....	2644-2656
Article 13. Estrays . . . . .	2657-2669
Article 14. Cruelty to animals.....	2670, 2671
Article 15. Texas or Cherokee cattle.....	2672-2677
Article 16. Live stock sanitary board.....	2678-2698
Article 17. Reimbursement of owners of tubercular cattle	2699-2710
Article 18. State board of veterinary medical examiners.	2711-2720
Article 19. Glanders . . . . .	2721-2740
Article 20. Sheep inspectors .....	2741-2754
Article 21. Live stock inspection.....	2755-2760
Article 22. Regulation of health certificates of live stock	2760A, 2760B
Article 23. Health certificate for pure-bred cattle.....	2761, 2762
Article 24. Admission of live stock into the state.....	2762A-2762I
Article 25. Stallion registration .....	2763-2779
Article 26. Dipping tanks .....	2780-2785
Article 27. Live stock association.....	2786
Article 28. Live stock protective association.....	2787-2790
Article 29. Prairie fires .....	2791-2808
Article 30. Promotion of anatomical science.....	2809-2811
Article 31. Hospitals prohibited .....	2812
Article 32. Bounty for tree planting.....	2813-2816
Article 33. Noxious weeds .....	2817-2820
Article 34. Prevention of spread of noxious weeds.....	2821-2823
Article 35. Inspection and regulation of nurseries.....	2824-2834
Article 36. Manufacture and sale of dairy products....	2835-2863
Article 37. Destruction of grasshoppers.....	2864-2868
Article 38. Extermination of gophers .....	2869-2873
Article 39. Adulteration of oils .....	2874-2878
Article 40. Pure food law .....	2879-2889
Article 41. Fertilizers . . . . .	2890-2897
Article 42. Pure seed law .....	2898-2910
Article 43. Concentrated commercial feeding stuff.....	2911-2921
Article 44. Protection of manufacturers of beverages....	2922
Article 45. Adulteration of paints .....	2923-2925
Article 46. Adulterating formaldehyde .....	2926-2932

## TABLE OF CONTENTS.

### POLITICAL CODE — Continued.

CHAPTER 38. POLICE OF THE STATE—Continued.	Section
Article 47. Adulteration of paris green.....	2933-2938
Article 48. Pure drugs .....	2939-2951
Article 49. Prohibiting public drinking cups.....	2952-2954
Article 50. Sanitation of barber shops .....	2955, 2956
Article 51. Disinfection of public vehicles.....	2957-2959
Article 52. Disinfecting second hand goods.....	2960, 2961
Article 53. Sanitation of food producing establishments.	2962-2971
Article 54. Automobiles .....	2972-2976
Article 55. Registration of motor vehicles, and other reg- ulations for such vehicles.....	2976A-2976s
Article 56. Fire escapes .....	2977, 2978
Article 57. Hotel inspection .....	2979-2994
Article 58. Doorways in public buildings.....	2995-2997
Article 59. Weights and measures .....	2998-3009
Article 60. Weight, measure or count of food products or beverages .....	3010-3013
Article 61. Purchase of grain .....	3014, 3015
Article 62. Public scales .....	3016-3020
Article 63. Commission merchants .....	3021-3027
Article 64. Hawkers and peddlers.....	3028-3035
Article 65. Taxation of transient merchants.....	3036-3042
Article 66. Trade discrimination and unfair competition.	3043-3047
Article 67. Commercial discrimination prohibited.....	3048-3055
Article 68. Logs and lumber .....	3056
Article 69. Oil inspection .....	3057-3080
Article 70. Coal mine license and statistics.....	3081-3084
Article 71. Coal inspection .....	3085-3089
Article 72. Abstracters .....	3090-3099
Article 73. Public warehouses .....	3100-3125
Article 74. Certificate of inspection and weight.....	3126-3129
Article 75. Uniform accounting .....	3130-3134
Article 76. Reports of elevators and warehouses.....	3135-3137
Article 77. Storage companies .....	3138-3148
Article 78. Cold storage warehouses.....	3149-3161
Article 79. Superior grain and warehouse commission..	3162-3163
Article 80. Habitual drunkards .....	3164-3167
Article 81. Preventing infant blindness.....	3168-3172
Article 82. Newspapers qualified to do legal printing....	3173-3176
CHAPTER 39. WOOL MARKET .....	3177-3180
CHAPTER 40. SOLDIERS AND SAILORS.....	3181-3187
Article 1. Burial .....	3181-3185
Article 2. Preferment for official appointment.....	3186, 3187
CHAPTER 41. AMENDMENTS TO CONSTITUTION.....	3188-3190
CHAPTER 42. COUNTIES AND COUNTY OFFICERS.....	3191-3491
Article 1. County organization in unorganized territory	3191-3198
Article 2. Changing county lines.....	3199-3204
Article 3. Division of counties.....	3205-3232
Article 4. County seats .....	3233-3244
Article 5. Organization of McKenzie county.....	3245-3249
Article 6. Corporate powers and liabilities.....	3250, 3251
Article 7. State accounts with counties.....	3252-3256
Article 8. County officers .....	3257-3259
Article 9. County commissioners .....	3260-3311
Article 10. County budget .....	3312-3314



TABLE OF CONTENTS.

POLITICAL CODE — Continued.

	Section
<b>CHAPTER 42. COUNTIES AND COUNTY OFFICERS—Continued.</b>	
Article 11. Depositories of county funds.....	3315-3329
Article 12. Register of deeds.....	3330-3340
Article 13. County treasurer .....	3341-3365
Article 14. County auditor .....	3366-3375
Article 15. State's attorneys .....	3376-3381
Article 16. Contingent fund for state's attorney.....	3382-3386A
Article 17. Clerk of district court.....	3387-3389
Article 18. Sheriff .....	3390-3404
Article 19. Coroner .....	3405-3424
Article 20. County surveyor .....	3425-3437F
Article 21. Public administrator .....	3438-3448
Article 22. County bonds .....	3449-3456
Article 23. Bonds for county buildings.....	3457-3470
Article 24. Bonds for seed grain.....	3471-3490
Article 25. Certificate of debt limit.....	3491
<b>CHAPTER 43. FEES AND SALARIES OF COUNTY, TOWNSHIP AND OTHER OFFICERS .....</b>	3492-3551
Article 1. State's attorneys .....	3492, 3493
Article 2. Clerk of the district court.....	3494-3499
Article 3. County judges .....	3500-3504
Article 4. County auditors .....	3505-3507
Article 5. Register of deeds.....	3508-3511
Article 6. County treasurer .....	3512, 3513
Article 7. Sheriff .....	3514-3526
Article 8. Coroner .....	3527
Article 9. Referees .....	3528
Article 10. Notaries public .....	3529
Article 11. Justices of the peace.....	3530
Article 12. Constables .....	3531
Article 13. County surveyors .....	3532
Article 14. County Commissioners .....	3533
Article 15. Jurors .....	3534
Article 16. Witnesses .....	3535, 3536
Article 17. Salaries of deputies.....	3537-3539
Article 18. Printer .....	3540
Article 19. Fees in matters of estrays.....	3541
Article 20. Official reports of county and other officers..	3542-3544
Article 21. Miscellaneous provisions .....	3545-3551
<b>CHAPTER 44. CITIES .....</b>	3552-3770
Article 1. Organization of cities.....	3552-3564
Article 2. Organization of villages, towns, or cities in territory embracing more than one county.	3564A-3564E
Article 3. The mayor .....	3565-3580
Article 4. City council .....	3581-3598
Article 5. Powers of the city council.....	3599-3606
Article 6. Regulation of rates for public service or utility .....	3607-3609
Article 7. Powers and duties of officer.....	3610-3623
Article 8. City auditor .....	3624-3626
Article 9. Claims for injuries.....	3627-3629
Article 10. City attorney .....	3630
Article 11. City treasurer .....	3631-3640
Article 12. City assessor and board of equalization.....	3641-3646
Article 13. Police magistrate and city justice of the peace	3647-3662

# TABLE OF CONTENTS.

## POLITICAL CODE — Continued.

	Section
<b>CHAPTER 44. CITIES—Continued.</b>	
Article 14. City engineer .....	3663
Article 15. Police officers .....	3664, 3665
Article 16. Elections .....	3666-3675
Article 17. Finance . . . . .	3676-3684
Article 18. Opening of streets, alleys, etc.....	3685-3688
Article 19. Sidewalks . . . . .	3689-3696
Article 20. Sewers, paving and water mains.....	3697-3743B
Article 21. Special street lighting system.....	3744-3746
Article 22. Improvement of roads leading to cities.....	3747-3766
Article 23. Corporate limits .....	3750-3756
Article 24. Miscellaneous . . . . .	3757-3761
Article 25. Correction of village plats.....	3762-3766
Article 26. Validating certain city ordinances.....	3767-3770
<b>CHAPTER 45. COMMISSION SYSTEM OF GOVERNMENT.....</b>	<b>3771-3834</b>
<b>CHAPTER 46. CITIES UNDER COMMISSION FORM OF GOVERNMENT...</b>	<b>3835-3839</b>
<b>CHAPTER 47. VILLAGES . . . . .</b>	<b>3840-3931</b>
Article 1. Incorporation of villages .....	3840-3860
Article 2. Powers of the board of trustees.....	3861-3864
Article 3. Auditing and payment of accounts.....	3865-3867
Article 4. Corporate indebtedness .....	3868
Article 5. Qualification of officers .....	3869, 3870
Article 6. Levy and collection of taxes.....	3871-3879
Article 7. Special village taxes .....	3880
Article 8. Validating special assessments .....	3881, 3882
Article 9. Collection of road taxes in villages.....	3883-3888
Article 10. Power and duties of officers.....	3889-3895
Article 11. Sidewalks and streets .....	3896, 3897
Article 12. Extension of corporate limits.....	3898-3901
Article 13. Division of village and township funds.....	3902
Article 14. Dissolution of corporation .....	3903, 3904
Article 15. Village sidewalks .....	3905, 3906
Article 16. Police in unorganized towns.....	3907-3913
Article 17. Miscellaneous .....	3914-3916
Article 18. Procedure in village justice's court.....	3917-3930
Article 19. Ordinances .....	3931
<b>CHAPTER 48. ORGANIZATION OF VILLAGES IN TERRITORY EMBRACING MORE THAN ONE COUNTY.....</b>	<b>3932-3941</b>
<b>CHAPTER 49. MISCELLANEOUS PROVISIONS RELATING TO CITIES AND VILLAGES .....</b>	<b>3942-4071</b>
Article 1. Town plats .....	3942-3952
Article 2. Preservation of plats and plans.....	3953-3958
Article 3. Vacation of plats by district court.....	3959-3961
Article 4. Vacation of plats by written declaration....	3962-3966
Article 5. Errors and deficiencies in city plats.....	3967
Article 6. Changing limits of cities, towns and villages.	3968-3973
Article 7. Changing names of towns and villages.....	3974-3979
Article 8. Changing wards .....	3980-3984
Article 9. Locating and vacating streets and alleys....	3985-3989
Article 10. Waterworks and fire apparatus.....	3990-3992
Article 11. Insurance tax for fire departments.....	3993-3998
Article 12. Firemen's relief association pension fund...	3999-4006
Article 13. Free libraries .....	4007-4013
Article 14. Bonds of municipal corporations.....	4014, 4015

## TABLE OF CONTENTS.

### POLITICAL CODE — Continued.

	Section
<b>CHAPTER 49. MISCELLANEOUS PROVISIONS, ETC.—Continued.</b>	
Article 15. City bonds for auditorium, gymnasium, play grounds, public bath, etc.....	4016—4018
Article 16. Refunding city bonds .....	4019—4025
Article 17. Refunding bonded school indebtedness.....	4026—4029
Article 18. Refunding certain municipal bonds.....	4030—4037
Article 19. Taxes in certain corporations.....	4038—4043
Article 20. Collection of city taxes.....	4044—4049
Article 21. Road and bridge taxes.....	4050, 4051
Article 22. Local improvements in certain cities.....	4052, 4053
Article 23. Parks and public grounds.....	4054
Article 24. Parks and park districts.....	4055—4063
Article 25. Village parks .....	4064—4071
<b>CHAPTER 50. TOWNSHIP GOVERNMENT .....</b>	<b>4072—4285</b>
Article 1. How organized and named.....	4072—4078
Article 2. Division of organized townships.....	4079—4082
Article 3. Corporate powers .....	4083—4085
Article 4. Annual township meetings.....	4086—4089
Article 5. Paving and other public improvements in certain civil townships.....	4090—4137
Article 6. Special meetings .....	4138—4140
Article 7. Mode of conducting township meetings.....	4141—4155
Article 8. By-Laws .....	4156, 4157
Article 9. Qualification of officers.....	4158—4170
Article 10. Vacancies .....	4171—4174
Article 11. Board of health.....	4175—4184
Article 12. Powers and duties of supervisors.....	4185—4195
Article 13. Powers and duties of officers.....	4196—4212
Article 14. Board of auditors.....	4213—4218
Article 15. Fees of officers.....	4219—4221
Article 16. Claims against townships or counties.....	4222—4227
Article 17. Suits by and against townships.....	4228—4235
Article 18. Township charges and levies.....	4236, 4237
Article 19. Books and papers of outgoing officers.....	4238—4241
Article 20. Section corners .....	4242—4246
Article 21. Guideposts .....	4247
Article 22. Public places .....	4248
Article 23. Pounds and pound masters.....	4249—4252
Article 24. Debts and bonds.....	4253—4256
Article 25. Refunding bonds .....	4257—4261
Article 26. Irrigation .....	4262—4264
Article 27. Contract system of highway labor.....	4265—4269
Article 28. Miscellaneous .....	4270—4276
Article 29. Dissolution of townships.....	4277—4281
Article 30. Consolidation of townships.....	4282—4285
<b>CHAPTER 51. PRESERVATION OF LAND MARKS.....</b>	<b>4286—4290</b>
<b>CHAPTER 52. FOREST FIRE WARDENS.....</b>	<b>4291—4293</b>
<b>CHAPTER 53. PARTITION FENCES .....</b>	<b>4294—4317</b>
<b>CHAPTER 54. MISCELLANEOUS PROVISIONS .....</b>	<b>4318—4325</b>

## TABLE OF CONTENTS.

### CIVIL CODE

	Section
CHAPTER 1. GENERAL DEFINITIONS AND DIVISIONS.....	4326-4334
CHAPTER 2. PERSONS . . . . .	4335-4349
CHAPTER 3. PERSONAL RIGHTS . . . . .	4350-4356
CHAPTER 4. MARRIAGE CONTRACT . . . . .	4357-4372
CHAPTER 5. REGULATING MARRIAGES . . . . .	4373-4378
CHAPTER 6. DISSOLUTION OF MARRIAGE.....	4379-4406
Article 1. Causes for granting divorce.....	4379-4386
Article 2. Causes for denying divorce.....	4387-4400
Article 3. General provisions . . . . .	4401-4406
CHAPTER 7. HUSBAND AND WIFE.....	4407-4419
CHAPTER 8. PARENT AND CHILD.....	4420-4440
CHAPTER 9. ADOPTION . . . . .	4441-4450
CHAPTER 10. GUARDIAN AND WARD . . . . .	4451-4474
CHAPTER 11. MASTER AND SERVANT.....	4475-4493
CHAPTER 12. CORPORATIONS . . . . .	4494-4602
Article 1. The creation of corporations.....	4494-4516
Article 2. Annual reports of corporate existence.....	4517-4523
Article 3. Corporate stock . . . . .	4524-4532
Article 4. Corporate powers . . . . .	4533-4559
Article 5. Corporate records . . . . .	4560
Article 6. Amending articles of incorporation.....	4561, 4562
Article 7. Changing corporate name.....	4563
Article 8. Changing corporate headquarters.....	4564
Article 9. Dissolution of corporations.....	4565-4569
Article 10. Assessment of stock.....	4570-4588
Article 11. Judgment against and sale of corporate franchises . . . . .	4589-4594
Article 12. Examination of corporations, etc.....	4595, 4596
Article 13. Regulating corporation indebtedness.....	4597-4602
CHAPTER 13. INCORPORATION OF CO-OPERATIVE ASSOCIATIONS...	4603-4609
CHAPTER 14. RAILROAD CORPORATIONS . . . . .	4610-4811
Article 1. Incorporation and regulation.....	4610-4648
Article 2. Railroad companies report wrecks.....	4649-4651
Article 3. Stopping of passenger trains at county seats.	4652, 4653
Article 4. Liability of railroads for causing fires.....	4654
Article 5. Cattle guards at railroad crossings.....	4655
Article 6. Maintenance of station houses.....	4656, 4657
Article 7. Lighting of depot platforms.....	4658, 4659
Article 8. Sanitary regulations for railroad stations....	4660-4663
Article 9. Sweeping passenger coaches.....	4664-4665
Article 10. Regulating number of train men.....	4666, 4667
Article 11. Hours of service of railroad employes.....	4668, 4669
Article 12. Size and construction of caboose cars.....	4670-4674
Article 13. Licensing ticket agents.....	4675-4682
Article 14. Maps of right of way.....	4683-4685
Article 15. Crossings . . . . .	4686-4688
Article 16. Safety devices by railroad companies.....	4689-4693
Article 17. Headlights on locomotives.....	4694-4697
Article 18. Railroads, clearance of obstructions.....	4698-4705
Article 19. Transfer facilities . . . . .	4706
Article 20. Coeperage of cars.....	4707
Article 21. To regulate common carriers and define the duties of the commissioners of railroads...	4708-4783
Article 22. Railroads to maintain telephone connections.	4784, 4785

## TABLE OF CONTENTS.

### CIVIL CODE — Continued.

	Section
<b>CHAPTER 14. RAILROAD CORPORATIONS—Continued.</b>	
Article 23. Removing loaded cars from sidetracks.....	4786—4788
Article 24. Daily trains; reciprocal demurrage.....	4789—4795
Article 25. Maximum transportation rates.....	4796—4798
Article 26. Prohibiting of free passes.....	4799, 4800
Article 27. Transportation of live stock.....	4801—4802
Article 28. Personal injury .....	4803
Article 29. Fellow servant and contributory negligence act .....	4804—4807
Article 30. Miscellaneous .....	4808—4811
<b>CHAPTER 15. URBAN ELECTRIC RAILWAYS.....</b>	4812
<b>CHAPTER 16. RAILROAD AND TELEPHONE COMPANIES TO FILE IN- FORMATION . . . . .</b>	4813—4821
<b>CHAPTER 17. WAGON ROAD CORPORATIONS.....</b>	4822—4833
<b>CHAPTER 18. INSURANCE CORPORATIONS .....</b>	4834—4964
Article 1. General provisions .....	4834
Article 2. Provisions common to all domestic insurance companies .....	4835—4845
Article 3. Domestic life insurance companies to deposit securities with insurance commissioner....	4846—4852
Article 4. Misrepresentations by insurance companies..	4853, 4854
Article 5. Discrimination by life insurance companies..	4855, 4856
Article 6. Disbursements by life insurance companies..	4857
Article 7. Diversion of funds for political purposes by life insurance companies.....	4858
Article 8. Salaries of officers and agents of life insur- ance companies .....	4859, 4860
Article 9. Investment of funds of life insurance com- panies .....	4861, 4862
Article 10. Provisions peculiar to domestic stock insur- ance companies .....	4863—4869
Article 11. Provisions peculiar to domestic mutual insur- ance companies .....	4870—4881
Article 12. Surplus of life insurance company.....	4882—4887
Article 13. Consolidation and reinsurance of domestic insurance companies .....	4888—4893
Article 14. Provisions peculiar to mutual hail insurance companies .....	4894—4901
Article 15. Time when hail insurance policies take effect.	4902, 4903
Article 16. Provisions peculiar to fidelity insurance com- panies .....	4904—4912
Article 17. Provisions peculiar to foreign insurance com- panies .....	4913
Article 18. Provisions common to all insurance companies	4914—4930
Article 19. Reports of life insurance companies.....	4931
Article 20. County mutual companies.....	4932—4950
Article 21. Live stock .....	4951—4956
Article 22. Chattel mortgages in applications.....	4957, 4958
Article 23. Licensing insurance agents.....	4959, 4960
Article 24. Resident agent for transaction of fire insur- ance business .....	4961—4964
<b>CHAPTER 19. ACCIDENT AND SICKNESS INSURANCE CORPORATIONS, ASSOCIATIONS AND SOCIETIES.....</b>	4965—4980
<b>CHAPTER 20. MINING AND MANUFACTURING CORPORATIONS, ETC..</b>	4981—4988
<b>CHAPTER 21. STATEMENTS BY MINING CORPORATIONS.....</b>	4989—4994

## TABLE OF CONTENTS.

### CIVIL CODE — Continued.

	Section
CHAPTER 22. BRIDGE CORPORATIONS .....	4995-5004
CHAPTER 23. RELIGIOUS, EDUCATIONAL AND BENEVOLENT COR- PORATIONS . . . . .	5005-5110
Article 1. General provisions .....	5005-5012
Article 2. Provisions relating to educational corporations	5013-5016
Article 3. Fraternal corporations .....	5017-5024
Article 4. Status and organization of fraternal corpora- tions .....	5025-5042
Article 5. Fraternal beneficiary associations.....	5043-5058
Article 6. Fraternal benefit societies.....	5059-5090
Article 7. Cemetery corporations .....	5091-5099
Article 8. Homes for orphans.....	5100-5108
Article 9. Dependent children .....	5109, 5110
CHAPTER 24. AGRICULTURAL FAIR CORPORATIONS.....	5111-5116
CHAPTER 25. STATE POULTRY ASSOCIATION.....	5117-5120
CHAPTER 26. BUILDING AND LOAN ASSOCIATIONS.....	5121-5143
CHAPTER 27. RIGHT OF WAY FOR TELEPHONE AND ELECTRIC LINES	5144-5145
CHAPTER 28. BANKING CORPORATIONS .....	5146-5191
CHAPTER 29. LOANS FROM BANKING ASSOCIATIONS.....	5192
CHAPTER 30. SAVINGS BANKS .....	5193-5204
CHAPTER 31. ORGANIZATION AND MANAGEMENT OF ANNUITY, SAFE DEPOSIT AND TRUST COMPANIES.....	5205-5220
CHAPTER 32. SUPERVISION OF INVESTMENT COMPANIES.....	5221-5235
CHAPTER 33. EXISTING CORPORATIONS ELECTING TO CONTINUE UNDER THIS CHAPTER.....	5236-5237
CHAPTER 34. CONDITIONS PRECEDENT TO DOING BUSINESS BY COR- PORATIONS . . . . .	5238-5244
Article 1. Foreign corporations .....	5238-5242
Article 2. Domestic corporations .....	5243, 5244
CHAPTER 35. NATURE OF PROPERTY.....	5245-5253
CHAPTER 36. OWNERSHIP . . . . .	5254-5300
Article 1. Owners .....	5254-5256
Article 2. Interests in property.....	5257-5281
Article 3. Conditions of ownership.....	5282-5286
Article 4. Restraints upon alienation.....	5287-5289
Article 5. Accumulations .....	5290-5294
Article 6. Rights of owners.....	5295, 5296
Article 7. Termination of ownership.....	5297-5300
CHAPTER 37. GENERAL DEFINITIONS .....	5301-5302
CHAPTER 38. REAL OR IMMOVABLE PROPERTY.....	5303-5340
Article 1. General provisions .....	5303
Article 2. Estates in general.....	5304-5324
Article 3. Termination of estates.....	5325-5329
Article 4. Servitudes .....	5330-5340
CHAPTER 39. RIGHTS OF OWNERS.....	5341-5358
Article 1. Incidents of ownership.....	5341-5350
Article 2. Boundaries .....	5351-5356
Article 3. Obligations of owners.....	5357, 5358
CHAPTER 40. USES AND TRUSTS .....	5359, 5380
CHAPTER 41. POWERS . . . . .	5381-5443
CHAPTER 42. PERSONAL OR MOVABLE PROPERTY.....	5444-5457
Article 1. Personal property in general.....	5444
Article 2. Things in action.....	5445, 5446
Article 3. Shipping .....	5447-5453
Article 4. Rules of navigation.....	5454-5457

## TABLE OF CONTENTS.

### CIVIL CODE — Continued.

		Section
CHAPTER 43.	PRODUCTS OF THE MIND.....	5458-5463
CHAPTER 44.	OTHER KINDS OF PERSONAL PROPERTY.....	5464-5467
CHAPTER 45.	ACQUISITION OF PROPERTY .....	5468-5487
Article	1. Modes in which property may be acquired...	5468
Article	2. Occupancy .....	5469-5471
Article	3. Accession to real property.....	5472-5478
Article	4. Accession to personal property.....	5479-5487
CHAPTER 46.	TRANSFER . . . . .	5488-5510
Article	1. Definition of transfer.....	5488, 5489
Article	2. What may be transferred.....	5490-5492
Article	3. Mode of transfer.....	5493-5500
Article	4. Interpretation of grants.....	5501-5507
Article	5. Effect of transfer.....	5508-5510
CHAPTER 47.	TRANSFER OF REAL PROPERTY.....	5511-5532
Article	1. Mode of transfer.....	5511-5517
Article	2. Transfers subject to coal deposits.....	5518, 5519
Article	3. Effect of transfer.....	5520-5532
CHAPTER 48.	TRANSFERS OF PERSONAL PROPERTY.....	5533-5545
Article	1. Mode of transfer.....	5533, 5534
Article	2. What operates as a transfer.....	5535-5537
Article	3. Gifts .....	5538-5545
CHAPTER 49.	RECORDING TRANSFERS .....	5546-5598
Article	1. What may be recorded.....	5546-5552
Article	2. Registration of farm names.....	5553-5556
Article	3. Mode of recording.....	5557-5562
Article	4. Proof and acknowledgment of instruments..	5563-5593
Article	5. Effect of recording or the want thereof.....	5594-5598
CHAPTER 50.	UNLAWFUL TRANSFERS .....	5599-5604
CHAPTER 51.	HOMESTEAD . . . . .	5605-5639
CHAPTER 52.	WILL . . . . .	5640-5740
Article	1. Execution and revocation of will.....	5640-5684
Article	2. Interpretation of wills and effect of various provisions .....	5685-5719
Article	3. General provisions .....	5720-5740
CHAPTER 53.	SUCCESSION .....	5741-5762
CHAPTER 54.	OBLIGATIONS . . . . .	5763-5835
Article	1. Definition of obligations.....	5763, 5764
Article	2. Interpretation of obligations.....	5765-5781
Article	3. Transfer of obligations.....	5782-5792
Article	4. Extinction of obligations.....	5793-5820
Article	5. Performance of obligations or offer.....	5821-5824
Article	6. Accord and satisfaction of obligations.....	5825-5828
Article	7. Novation . . . . .	5829-5832
Article	8. Release .....	5833-5835
CHAPTER 55.	CONTRACTS . . . . .	5836-5941
Article	1. Definition . . . . .	5836, 5837
Article	2. Parties . . . . .	5838-5841
Article	3. Consent . . . . .	5842-5866
Article	4. Object of a contract.....	5867-5871
Article	5. Consideration . . . . .	5872-5882
Article	6. Manner of creating contracts.....	5883-5894
Article	7. Interpretation of contracts.....	5895-5921
Article	8. Unlawful contracts .....	5922-5931
Article	9. Rescission of contracts.....	5932-5936
Article	10. Alteration and cancellation of contracts.....	5937-5941

## TABLE OF CONTENTS.

### CIVIL CODE — Continued.

	Section
CHAPTER 56. OBLIGATIONS IMPOSED BY LAW.....	5942-5949
CHAPTER 57. SALE . . . . .	5950-6002
Article 1. General provisions . . . . .	5950, 5951
Article 2. Agreements for sale. . . . .	5952-5960
Article 3. Form of the contract. . . . .	5961-5964
Article 4. Rights and obligations of the seller. Rights and duties before delivering. . . . .	5965, 5966
Article 5. Delivery of personal property. . . . .	5967-5972
Article 6. Warranty of personal property. . . . .	5973-5988
Article 7. Rights and obligations of the buyer. . . . .	5989-5994
Article 8. Sale by auction. . . . .	5995-6001
Article 9. Waiver of cause of action. . . . .	6002
CHAPTER 58. EXCHANGE . . . . .	6003-6006
CHAPTER 59. DEPOSIT . . . . .	6007-6049
Article 1. Deposit in general. . . . .	6007-6012
Article 2. Obligations of the depositary. . . . .	6013-6018
Article 3. Deposit for keeping. . . . .	6019-6026
Article 4. Gratuitous deposit . . . . .	6027-6030
Article 5. Storage . . . . .	6031-6035
Article 6. Innkeeper . . . . .	6036-6039
Article 7. Finding . . . . .	6040-6048
Article 8. Deposit for exchange. . . . .	6049
CHAPTER 60. LOANS . . . . .	6050-6078
Article 1. Loan for use. . . . .	6050-6061
Article 2. Loan for exchange. . . . .	6062-6066
Article 3. Loan of money. . . . .	6067-6078
CHAPTER 61. HIRING . . . . .	6079-6104
Article 1. Hiring in general. . . . .	6079-6089
Article 2. Hiring of real property. . . . .	6090-6099
Article 3. Hiring of personal property. . . . .	6100-6104
CHAPTER 62. SERVICE . . . . .	6105-6133
Article 1. Definition of employment. . . . .	6105
Article 2. Obligations of the employer. . . . .	6106-6108
Article 3. Obligations of the employe. . . . .	6109-6126
Article 4. Termination of employment. . . . .	6127-6133
CHAPTER 63. PARTICULAR EMPLOYMENTS . . . . .	6134-6282
Article 1. Master and servant. . . . .	6134-6140
Article 2. Agents. . . . .	6141-6144
Article 3. Factors . . . . .	6145-6149
Article 4. Shipmasters . . . . .	6150-6160
Article 5. Mates and seamen. . . . .	6161-6179
Article 6. Ship's managers . . . . .	6180-6182
CHAPTER 64. SERVICE WITHOUT EMPLOYMENT. . . . .	6183-6184
CHAPTER 65. CARRIAGE IN GENERAL . . . . .	6185-6190
CHAPTER 66. CARRIAGE OF PERSONS. . . . .	6191-6196
Article 1. Gratuitous carriage of persons. . . . .	6191
Article 2. Carriage for reward. . . . .	6192-6196
CHAPTER 67. CARRIAGE OF PROPERTY . . . . .	6197-6232
Article 1. General definitions . . . . .	6197
Article 2. Obligations of the carrier. . . . .	6198-6208
Article 3. Bill of lading. . . . .	6209-6215
Article 4. Freightage . . . . .	6216-6224
Article 5. General average . . . . .	6225-6232
CHAPTER 68. CARRIAGE OF MESSAGES. . . . .	6233-6234



# TABLE OF CONTENTS.

## CIVIL CODE — Continued.

	Section
<b>CHAPTER 69. COMMON CARRIERS</b> .....	6235-6270
Article 1. Common carriers in general.....	6235-6242
Article 2. Common carriers of persons.....	6243-6252
Article 3. Common carriers of property.....	6253-6261
Article 4. Shipment of live stock.....	6262
Article 5. Common carriers of messages.....	6263-6270
<b>CHAPTER 70. TRUSTS IN GENERAL</b> .....	6271-6294
Article 1. Nature and creation of a trust.....	6271-6280
Article 2. Obligations of trustees .....	6281-6292
Article 3. Obligations of third persons.....	6293, 6294
<b>CHAPTER 71. TRUSTS FOR THE BENEFIT OF THIRD PERSONS</b> .....	6295-6318
Article 1. Nature and creation of the trust.....	6295-6299
Article 2. Obligations of trustees .....	6300-6304a
Article 3. Powers of trustees .....	6305-6307
Article 4. Rights of trustees .....	6308-6310
Article 5. Termination of the trust.....	6311-6315
Article 6. Succession or appointment of new trustees..	6316-6318
<b>CHAPTER 72. AGENCY</b> .. .....	6319-6366
Article 1. Definition of agency .....	6319-6324
Article 2. Authority of agents .....	6325-6347
Article 3. Mutual obligations of principals and third persons .. .....	6348-6357
Article 4. Obligations of agents to third persons.....	6358-6360
Article 5. Delegation of agency .....	6361-6364
Article 6. Termination of agency.....	6365, 6366
<b>CHAPTER 73. PARTICULAR AGENCIES</b> .....	6367-6385
Article 1. Auctioneers .. .....	6367, 6368
Article 2. Factors . . . . .	6369-6371
Article 3. Shipmasters and pilots .....	6372-6383
Article 4. Ship's managers . . . . .	6384, 6385
<b>CHAPTER 74. PARTNERSHIP IN GENERAL</b> .....	6386-6400
Article 1. What constitutes a partnership.....	6386-6388
Article 2. Partnership property .....	6389-6394
Article 3. Mutual obligations of partners.....	6395-6398
Article 4. Renunciation of partnership.....	6399, 6400
<b>CHAPTER 75. GENERAL PARTNERSHIP</b> .....	6401-6432
Article 1. What is a general partnership.....	6401
Article 2. Powers and authority of partners.....	6402-6405
Article 3. Mutual obligations of partners.....	6406-6409
Article 4. Liability of partners .....	6410-6413
Article 5. Termination of partnership.....	6414-6419
Article 6. Liquidation . . . . .	6420-6425
Article 7. Of the use of fictitious names.....	6426-6432
<b>CHAPTER 76. SPECIAL PARTNERSHIP</b> .....	6433-6457
Article 1. Formation of the partnership.....	6433-6440
Article 2. Powers, rights and duties of the partners....	6441-6450
Article 3. Liability of partners.....	6451-6454
Article 4. Alteration and dissolution.....	6455-6457
<b>CHAPTER 77. INSURANCE IN GENERAL</b> .....	6458-6552
Article 1. Definition of insurance .....	6458
Article 2. What may be insured.....	6459, 6460a
Article 3. Parties to the contract.....	6461-6465
Article 4. Insurable interest . . . . .	6466-6479
Article 5. Concealment and representation.....	6480-6502
Article 6. The policy .....	6503-6518

# TABLE OF CONTENTS.

## CIVIL CODE—Continued.

	Section
<b>CHAPTER 77. INSURANCE IN GENERAL—Continued.</b>	
Article 7. Warranties . . . . .	6519-6528
Article 8. Premium . . . . .	6529-6536
Article 9. Loss . . . . .	6537-6540
Article 10. Notice of loss . . . . .	6541-6546
Article 11. Double insurance . . . . .	6547, 6548
Article 12. Reinsurance . . . . .	6549-6552
<b>CHAPTER 78. MARINE INSURANCE . . . . .</b>	6553-6619
Article 1. Definition of marine insurance. . . . .	6553
Article 2. Insurable interest . . . . .	6554-6560
Article 3. Concealment . . . . .	6561-6564
Article 4. Representations . . . . .	6565, 6566
Article 5. Implied warranties . . . . .	6567-6574
Article 6. The voyage and deviation. . . . .	6575-6580
Article 7. Loss . . . . .	6581-6591
Article 8. Abandonment . . . . .	6592-6608
Article 9. Measure of indemnity . . . . .	6609-6619
<b>CHAPTER 79. FIRE INSURANCE . . . . .</b>	6620-6626
<b>CHAPTER 80. LIFE AND HEALTH INSURANCE. . . . .</b>	6627-6633
<b>CHAPTER 81. STANDARD FORMS OF INSURANCE POLICIES; PROVI- SIONS IN LIFE INSURANCE POLICIES. . . . .</b>	6634-6636
<b>CHAPTER 82. POLICIES OF HEALTH OR ACCIDENT INSURANCE. . . . .</b>	6637-6640
<b>CHAPTER 83. INDEMNITY . . . . .</b>	6641-6650
<b>CHAPTER 84. GUARANTY . . . . .</b>	6651-6674
Article 1. Definition of guaranty. . . . .	6651, 6652
Article 2. Creation of guaranty. . . . .	6653-6656
Article 3. Interpretation of guaranty. . . . .	6657-6660
Article 4. Liability of guarantors . . . . .	6661-6665
Article 5. Continuing guaranty . . . . .	6666, 6667
Article 6. Exoneration of guarantors. . . . .	6668-6674
<b>CHAPTER 85. SURETYSHIP . . . . .</b>	6675-6698
Article 1. Who are sureties. . . . .	6675, 6676
Article 2. Liability of sureties . . . . .	6677-6681
Article 3. Rights of sureties. . . . .	6682-6688
Article 4. Rights of creditors . . . . .	6689
Article 5. Letter of credit . . . . .	6690-6698
<b>CHAPTER 86. LIENS IN GENERAL . . . . .</b>	6699-6724
Article 1. Definition of liens. . . . .	6699-6703
Article 2. Creation of liens. . . . .	6704-6708
Article 3. Effect of liens. . . . .	6709-6713
Article 4. Priority of liens. . . . .	6714-6716
Article 5. Redemption of liens. . . . .	6717-6719
Article 6. Extinction of liens. . . . .	6720-6724
<b>CHAPTER 87. MORTGAGE . . . . .</b>	6725-6769
Article 1. Mortgage in general. . . . .	6725-6749
Article 2. Mortgage of real property. . . . .	6750-6755
Article 3. Mortgage of personal property. . . . .	6756-6768
Article 4. Satisfaction of lien or mortgage before ma- turity . . . . .	6769
<b>CHAPTER 88. PLEDGE . . . . .</b>	6770-6795
<b>CHAPTER 89. BOTTOMRY . . . . .</b>	6796-6808
<b>CHAPTER 90. RESPONDENTIA . . . . .</b>	6809-6813
<b>CHAPTER 91. MECHANICS' LIENS . . . . .</b>	6814-6831
<b>CHAPTER 92. BONDS FOR LABOR AND MATERIAL FOR PUBLIC BUILD- INGS . . . . .</b>	6832-6835

# TABLE OF CONTENTS.

## CIVIL CODE — Continued.

	Section
<b>CHAPTER 93.</b> MINER'S LIEN .....	6836-6843
<b>CHAPTER 94.</b> LIENS FOR KEEPING AND PASTURING STOCK.....	6844-6846
<b>CHAPTER 95.</b> LIENS FOR SERVICE OF SIREs.....	6847-6850
<b>CHAPTER 96.</b> SEED LIEN .....	6851-6853
<b>CHAPTER 97.</b> THRESHING LIEN .....	6854-6856
<b>CHAPTER 98.</b> FARM LABORER'S LIEN .....	6857-6860
<b>CHAPTER 99.</b> OTHER LIENS .....	6861-6877
<b>CHAPTER 100.</b> FILING AND FORECLOSING LIENS ON PERSONAL PROP- ERTY .....	6878, 6879 6880
<b>CHAPTER 101.</b> DISCHARGE OF LIENS .....	6881-6885
<b>CHAPTER 102.</b> STOPPAGE IN TRANSIT .....	6886-7080
<b>CHAPTER 103.</b> NEGOTIABLE INSTRUMENTS .....	6886-7080
<b>TITLE I.—NEGOTIABLE INSTRUMENTS IN GENERAL</b>	
Article 1. Form and interpretation.....	6886-6908
Article 2. Consideration . . . . .	6909-6914
Article 3. Negotiation . . . . .	6915-6935
Article 4. Rights of the holder.....	6936-6944
Article 5. Liabilities of parties .....	6945-6954
Article 6. Presentment for payment.....	6955-6973
Article 7. Notice of dishonor.....	6974-7003
Article 8. Discharge of negotiable instruments.....	7004-7010
<b>TITLE II.—BILLS OF EXCHANGE.</b>	
Article 1. Form and interpretation.....	7011-7016
Article 2. Acceptance . . . . .	7017-7027
Article 3. Presentment for acceptance.....	7028-7035
Article 4. Protest . . . . .	7036-7044
Article 5. Acceptance for honor.....	7045-7054
Article 6. Payment for honor.....	7055-7061
Article 7. Bills in a set.....	7062-7067
<b>TITLE III.</b>	
Article 1. Promissory notes and checks.....	7068-7073
<b>TITLE IV.</b>	
Article 1. General provisions.....	7074-7080
<b>CHAPTER 104.</b> BILLS OF EXCHANGE.....	7081-7125
Article 1. Form and interpretation of a bill.....	7081-7087
Article 2. Days of grace.....	7088
Article 3. Presentment for acceptance.....	7089-7093
Article 4. Acceptance . . . . .	7094-7100
Article 5. Acceptance or payment for honor.....	7101-7105
Article 6. Presentment for payment .....	7106-7109
Article 7. Excuse of presentment and notice.....	7110-7112
Article 8. Foreign bills .....	7113-7125
<b>CHAPTER 105.</b> PROMISSORY NOTES .....	7126-7130
<b>CHAPTER 106.</b> CHECKS . . . . .	7131-7133
<b>CHAPTER 107.</b> BONDS, BANK NOTES AND CERTIFICATES OF DEPOSIT.	7134, 7135
<b>CHAPTER 108.</b> GENERAL PROVISIONS .....	7136
<b>CHAPTER 109.</b> RELIEF IN GENERAL .....	7137, 7138
<b>CHAPTER 110.</b> COMPENSATORY RELIEF .....	7139-7214
Article 1. Damages in general.....	7139-7145
Article 2. Measure of damages.....	7146-7164
Article 3. Damages for wrongs .....	7165-7176
Article 4. General provisions .....	7177-7184

## TABLE OF CONTENTS.

### CODE OF CIVIL PROCEDURE — Continued.

		Section
<b>CHAPTER 110.</b>	<b>COMPENSATORY RELIEF—Continued.</b>	
Article	5. Specific and preventive relief.....	7185-7188
Article	6. Possession of real and personal property....	7189-7191
Article	7. Specific performance of obligations.....	7192-7201
Article	8. Revision and rescission of contracts.....	7202-7208
Article	9. Cancellation of instruments.....	7209, 7210
Article	10. Preventive relief .....	7211-7214
<b>CHAPTER 111.</b>	<b>SPECIAL RELATIONS OF DEBTOR AND CREDITOR.....</b>	<b>7215-7223</b>
Article	1. General principles .....	7215-7219
Article	2. Fraudulent instruments and transfers.....	7220-7223
<b>CHAPTER 112.</b>	<b>SALES AND ASSIGNMENTS.....</b>	<b>7224-7227</b>
<b>CHAPTER 113.</b>	<b>NUISANCE . . . . .</b>	<b>7228-7242</b>
Article	1. General principles .....	7228-7233
Article	2. Public nuisance .....	7234-7239
Article	3. Private nuisances .....	7240-7242
<b>CHAPTER 114.</b>	<b>MAXIMS OF JURISPRUDENCE.....</b>	<b>7243-7277</b>
<b>CHAPTER 115.</b>	<b>DEFINITIONS AND GENERAL PROVISIONS.....</b>	<b>7278-7318</b>

---

## VOLUME II

### CODE OF CIVIL PROCEDURE

<b>CHAPTER 1.</b>	<b>GENERAL DEFINITIONS AND PROVISIONS.....</b>	<b>7319-7335</b>
<b>CHAPTER 2.</b>	<b>COURTS . . . . .</b>	<b>7336-7354</b>
Article	1. Of the courts in general.....	7336-7338
Article	2. The supreme court.....	7339-7348
Article	3. The district courts .....	7349-7354
<b>CHAPTER 3.</b>	<b>FORM OF CIVIL ACTIONS.....</b>	<b>7355-7357</b>
<b>CHAPTER 4.</b>	<b>TIME OF COMMENCING ACTIONS.....</b>	<b>7358-7394</b>
Article	1. In general .....	7358
Article	2. Time of commencing actions for the recovery of real property .....	7359-7372
Article	3. Time of commencing other actions.....	7373-7382
Article	4. General provisions as to the time of com- mencing actions .....	7383-7394
<b>CHAPTER 5.</b>	<b>PARTIES TO CIVIL ACTIONS.....</b>	<b>7395-7414</b>
<b>CHAPTER 6.</b>	<b>OF THE PLACE OF TRIAL OF CIVIL ACTIONS.....</b>	<b>7415-7419</b>
<b>CHAPTER 7.</b>	<b>MANNER OF COMMENCING CIVIL ACTIONS.....</b>	<b>7420-7438</b>
<b>CHAPTER 8.</b>	<b>OF PLEADINGS IN CIVIL ACTIONS.....</b>	<b>7439-7486</b>
Article	1. The complaint .....	7439, 7440
Article	2. The demurrer .....	7441-7447
Article	3. The answer .....	7448-7451
Article	4. The reply .....	7452-7454
Article	5. General rules of pleading.....	7455-7477
Article	6. Mistakes in pleading and amendments.....	7478-7486
<b>CHAPTER 9.</b>	<b>OF THE PROVISIONAL REMEDIES IN CIVIL ACTIONS... </b>	<b>7487-7596</b>
Article	1. Arrest and bail.....	7488-7515
Article	2. Claim and delivery of personal property....	7516-7527
Article	3. Injunction . . . . .	7528-7536
Article	4. Attachment . . . . .	7537-7566
Article	5. Garnishment . . . . .	7567-7587
Article	6. Receivers . . . . .	7588-7592
Article	7. Of deposit .....	7593-7596

## TABLE OF CONTENTS.

### CODE OF CIVIL PROCEDURE—Continued.

	Section
CHAPTER 10. DISMISSAL OF CIVIL ACTIONS.....	7597-7598
CHAPTER 11. OF THE TRIAL AND JUDGMENT IN CIVIL ACTIONS....	7599-7712
Article 1. Judgment upon failure to answer, etc.....	7599-7602
Article 2. Issues and mode of trial.....	7603-7612
Article 3. Formation of the trial jury.....	7613-7618
Article 4. Of the conduct of the trial.....	7619-7631
Article 5. Of the verdict.....	7632-7636
Article 6. Of the trial by the court.....	7637-7644
Article 7. Of references and trials by referees.....	7645-7651
Article 8. Exceptions.....	7652-7658
Article 9. Of new trials.....	7659-7666
Article 10. Manner of giving, entering and satisfying judgments.....	7667-7712
CHAPTER 12. OF THE EXECUTION OF THE JUDGMENT IN CIVIL ACTIONS.....	7713-7776
Article 1. The execution and levy.....	7713-7728
Article 2. Exemptions.....	7729-7743
Article 3. Sales.....	7744-7751
Article 4. Confirmation.....	7752
Article 5. Redemption.....	7753-7762
Article 6. The sheriff's deed.....	7763, 7764
Article 7. Validating execution sales.....	7765, 7766
Article 8. General provisions.....	7767-7776
CHAPTER 13. PROCEEDINGS SUPPLEMENTARY TO THE EXECUTION..	7777-7788
CHAPTER 14. OF THE COSTS AND DISBURSEMENTS IN CIVIL ACTIONS.....	7789-7817
CHAPTER 15. OF APPEALS IN CIVIL ACTIONS.....	7818-7849
CHAPTER 16. PROCEEDINGS AGAINST JOINT DEBTORS, HEIRS, DEVISEES, LEGATEES AND TENANTS HOLDING UNDER A JUDGMENT DEBTOR.....	7850-7855
CHAPTER 17. OFFER OF THE DEFENDANT TO COMPROMISE THE WHOLE OR A PART OF THE ACTION.....	7856-7859
CHAPTER 18. ADMISSION OR INSPECTION OF WRITINGS.....	7860-7861
CHAPTER 19. EXAMINATION OF PARTIES.....	7862-7870
CHAPTER 20. WITNESSES AND EVIDENCE.....	7871-7938
Article 1. Who may be excluded.....	7871
Article 2. Means of producing witnesses.....	7872-7882
Article 3. Mode of taking the testimony of witnesses...	7883-7886
Article 4. Affidavit.....	7887, 7888
Article 5. Depositions.....	7889, 7890
Article 6. Officer who may take depositions.....	7891-7894
Article 7. Manner of taking and authenticating depositions.....	7895-7905
Article 8. Exceptions to depositions.....	7906-7908
Article 9. Business records as evidence.....	7909
Article 10. Of public documents, records, etc.....	7910-7926
Article 11. Proceedings to perpetuate testimony.....	7927-7933
Article 12. Law of presumptive evidence.....	7934-7936
Article 13. Subjects of which courts will take judicial notice.....	7937, 7938
CHAPTER 21. MOTIONS AND ORDERS.....	7939-7949
CHAPTER 22. NOTICES AND FILING AND SERVICE OF PAPERS.....	7950-7960
CHAPTER 23. DUTIES OF SHERIFFS AND CORONERS.....	7961
CHAPTER 24. MISCELLANEOUS PROVISIONS.....	7962-7968

## TABLE OF CONTENTS.

### CODE OF CIVIL PROCEDURE — Continued.

	Section
CHAPTER 25. ACTIONS IN PLACE OF SCIRE FACIAS, QUO WARRANTO AND OF INFORMATION IN THE NATURE OF QUO WARRANTO . . . . .	7969-7979
CHAPTER 26. ACTIONS BY THE STATE TO ANNUL PATENTS . . . . .	7980
CHAPTER 27. ACTIONS BY AND AGAINST CORPORATIONS . . . . .	7981-8013
Article 1. General provisions . . . . .	7981-7985
Article 2. Actions against officers . . . . .	7986-7988
Article 3. Actions against insolvent corporations . . . . .	7989-8002
Article 4. Proceedings to annul corporations . . . . .	8003-8013
CHAPTER 28. ACTIONS TO RECOVER PENALTIES AND FORFEITURES . . . . .	8014-8023
CHAPTER 29. ACTION FOR THE PARTITION OF REAL PROPERTY . . . . .	8024-8072
CHAPTER 30. FORECLOSURE OF MORTGAGES, LIENS AND CONTRACTS . . . . .	8073-8143
Article 1. Foreclosure by advertisement . . . . .	8073-8098
Article 2. Foreclosure by action . . . . .	8099-8116
Article 3. Protection of purchasers at foreclosure sales . . . . .	8117, 8118
Article 4. Foreclosure of land contracts . . . . .	8119-8122
Article 5. Foreclosure of mortgages upon personal property . . . . .	8123-8136
Article 6. Actions to foreclose liens on personal property . . . . .	8137-8143
CHAPTER 31. ACTIONS TO DETERMINE CONFLICTING CLAIMS TO REAL PROPERTY AND OTHER ACTIONS CONCERNING REAL ESTATE . . . . .	8144-8165
CHAPTER 32. ACTION FOR NUISANCE, WASTE AND WILLFUL TRESPASS ON REAL PROPERTY . . . . .	8166-8168
CHAPTER 33. ACTION FOR THE SUPPORT OF MARRIED WOMEN . . . . .	8169-8174
CHAPTER 34. ACTIONS AGAINST THE STATE . . . . .	8175-8177
CHAPTER 35. CONTEMPTS . . . . .	8178-8201
Article 1. Criminal contempts . . . . .	8178, 8179
Article 2. Civil contempts . . . . .	8180
Article 3. Practice in contempts . . . . .	8181-8201
CHAPTER 36. EMINENT DOMAIN . . . . .	8202-8231
CHAPTER 37. RAILROAD RIGHT OF WAY OVER LAND OF DECEDENT OR WARD . . . . .	8232-8234
CHAPTER 38. IRRIGATION . . . . .	8235-8320
Article 1. Irrigation code . . . . .	8235-8247
Article 2. Determination of water rights . . . . .	8248-8252
Article 3. Appropriation of water . . . . .	8253-8270
Article 4. Regulating use of water . . . . .	8271-8274
Article 5. Water commissioners . . . . .	8275-8284
Article 6. Miscellaneous provisions . . . . .	8285-8301
Article 7. Water Users' Association . . . . .	8302, 8303
Article 8. Establishment and maintenance of dams . . . . .	8304-8320
CHAPTER 39. DEATH BY WRONGFUL ACT . . . . .	8321-8326
CHAPTER 40. ARBITRATION . . . . .	8327-8347
CHAPTER 41. INSOLVENCY . . . . .	8348-8442
Article 1. General provisions . . . . .	8348-8350
Article 2. Voluntary insolvency . . . . .	8351-8355
Article 3. Involuntary insolvency . . . . .	8356-8368
Article 4. Proceedings to realize the estate for creditors . . . . .	8369-8399
Article 5. Claims against the estate . . . . .	8400-8414
Article 6. Dividends . . . . .	8415-8423
Article 7. Discharge of the insolvent . . . . .	8424-8439
Article 8. Proceedings peculiar to partnerships . . . . .	8440-8442

## TABLE OF CONTENTS.

### CODE OF CIVIL PROCEDURE — Continued.

	Section
<b>CHAPTER 42. SPECIAL PROCEEDINGS OF A CIVIL NATURE.....</b>	<b>8443-8476</b>
Article 1. Preliminary provisions .....	8443, 8444
Article 2. Writ of certiorari.....	8445-8456
Article 3. Writ of mandamus.....	8457-8469
Article 4. Writ of prohibition.....	8470-8473
Article 5. Miscellaneous provisions .....	8474-8476
<b>CHAPTER 43. SUMMARY PROCEEDINGS .....</b>	<b>8477-8495</b>
Article 1. Confession of judgment without action.....	8477-8479
Article 2. Submitting a controversy without action....	8480-8482
Article 3. Relief of persons confined in jail on civil pro- cess .....	8483-8495
<b>CHAPTER 44. CHANGE OF NAMES OF PERSONS AND PLACES.....</b>	<b>8496-8499</b>
<b>CHAPTER 45. TRESPASS OF ANIMALS.....</b>	<b>8500-8506</b>

---

## PROBATE CODE

<b>CHAPTER 1. THE CODE AND ITS OPERATION.....</b>	<b>8507-8513</b>
<b>CHAPTER 2. THE COUNTY COURT.....</b>	<b>8514-8544</b>
Article 1. Organization, powers and duties .....	8514-8523
Article 2. Jurisdiction and powers of the county court..	8524-8534
Article 3. Transfer of cases in the county court.....	8535-8538
Article 4. Records of the county court.....	8539-8544
<b>CHAPTER 3. PARTIES AND PROCESS.....</b>	<b>8545-8627</b>
Article 1. General rules of procedure.....	8545-8550
Article 2. Service of citations and other papers.....	8551-8559
Article 3. Manner and effect of appearance.....	8560-8565
Article 4. Commencement of a special proceeding and the pleadings therein .....	8566-8572
Article 5. Postponement, hearing and trial.....	8573-8578
Article 6. Decrees and orders.....	8579-8589
Article 7. Mistakes, omissions and amendments.....	8590-8593
Article 8. Rehearings .....	8594-8598
Article 9. Appeals .....	8599-8624
Article 10. Approval of undertakings and bonds.....	8625-8627
<b>CHAPTER 4. SPECIAL PROCEEDINGS FOR THE PROBATE OF WILLS                     AND OTHER PURPOSES .....</b>	<b>8628-8681</b>
Article 1. Production and custody of will.....	8628-8633
Article 2. Special proceedings for the probate of a will.	8634-8655
Article 3. Special proceedings for the appointment of administrators .....	8656-8666
Article 4. Appointment of special administrators.....	8667-8671
Article 5. Foreign wills and letters of administration..	8672-8674
Article 6. Special proceedings for probate of heirship..	8675-8681
<b>CHAPTER 5. REQUISITES FOR QUALIFICATION .....</b>	<b>8682-8706</b>
Article 1. Qualifications, removal and discharge of ex- ecutors, administration and guardians.....	8682-8688
Article 2. Form of letters .....	8689-8692
Article 3. New bonds and sureties.....	8693-8696
Article 4. Removal, suspension and discharge of execu- tors, administrators and guardians.....	8697-8706

## TABLE OF CONTENTS.

### PROBATE CODE — Continued.

	Section
<b>CHAPTER 6. SETTLEMENT OF THE ESTATES OF DECEDENTS.....</b>	8707-8873
Article 1. Collection, inventory and appraisalment of the estate .....	8707-8713
Article 2. Inventory and appraisalment of the estate....	8714-8722
Article 3. Possession of the homestead and allotment of exempt property .....	8723-8729
Article 4. Property chargeable with the payment of debts .....	8730-8733
Article 5. Claims, presentation, proof and allowance....	8734-8754
Article 6. Payment of debts and charges.....	8755-8763
Article 7. Sales by executors and administrators.....	8764-8791
Article 8. Specific performance .....	8792-8796
Article 9. Actions by and against executors and administrators .....	8797-8814
Article 10. Liability and compensation of executors and administrators .....	8815-8822
Article 11. Accounting and settlement by executors and administrators .....	8823-8840
Article 12. Partial distribution before final settlement..	8841-8845
Article 13. Distribution of the estate upon final settlement	8846-8853
Article 14. Proceedings for partition.....	8854-8860
Article 15. Distribution of estates of deceased nonresidents .....	8861-8866
Article 16. Disposition of unclaimed shares.....	8867-8873
<b>CHAPTER 7. OF GUARDIAN AND WARD.....</b>	8874-8925
Article 1. Guardians and minors .....	8874-8885
Article 2. Guardians of insane and incompetent.....	8886-8890
Article 3. The powers and duties of guardians.....	8891-8898
Article 4. Sales of property and disposition of proceeds	8899-8912
Article 5. Guardians for nonresident wards.....	8913-8918
Article 6. General and miscellaneous provisions.....	8919-8925
<b>CHAPTER 8. INCREASED JURISDICTION OF COUNTY COURT.....</b>	8926-8928
<b>CHAPTER 9. PRACTICE IN COUNTY COURTS WITH INCREASED JURISDICTION .....</b>	8929-8975
<b>CHAPTER 10. TAXATION OF INHERITANCES, DEVISES, BEQUESTS, LEGACIES AND GIFTS .....</b>	8976-9000

---

## JUSTICES' CODE

<b>CHAPTER 1. TITLE AND APPLICATION OF CODE.....</b>	9001-9002
<b>CHAPTER 2. GENERAL POWERS OF JUSTICES OF THE PEACE.....</b>	9003-9016
<b>CHAPTER 3. PROCEDURE IN CIVIL ACTIONS.....</b>	9017-9125
Article 1. Commencement of an action.....	9017-9027
Article 2. Appearance and postponement and change of venue .....	9028-9038
Article 3. Pleadings and issues.....	9039-9057
Article 4. Provisional remedies .....	9058-9062
Article 5. Garnishment and mode of procedure.....	9063-9068
Article 6. Forcible detainer .....	9069-9072
Article 7. Trial of issues of fact.....	9073-9092



## TABLE OF CONTENTS.

### JUSTICES' CODE — Continued.

		Section
CHAPTER 3.	PROCEDURE IN CIVIL ACTIONS—Continued.	
Article 8.	Judgment and costs.....	9093-9109
Article 9.	Stay of execution .....	9110-9114
Article 10.	Execution .....	9115-9125
CHAPTER 4.	CONTEMPTS IN JUSTICES' COURTS.....	9126-9129
CHAPTER 5.	PROCEDURE IN CRIMINAL ACTIONS.....	9130-9162
CHAPTER 6.	APPEALS .....	9163-9181
Article 1.	Appeals in civil actions.....	9163-9173
Article 2.	Appeals in criminal actions.....	9174-9181
CHAPTER 7.	ACCOUNTING BY JUSTICES OF THE PEACE.....	9182-9186
CHAPTER 8.	BOARDS OF CONCILIATION .....	9187-9192

---

## PENAL CODE

CHAPTER 1.	PRELIMINARY PROVISIONS .....	9193-9205
CHAPTER 2.	PERSONS LIABLE TO PUNISHMENT FOR CRIME.....	9206-9216
CHAPTER 3.	PARTIES TO CRIME .....	9217-9221
CHAPTER 4.	CRIMES AGAINST RELIGION AND CONSCIENCE.....	9222-9249
CHAPTER 5.	CRIMES AGAINST THE ELECTIVE FRANCHISE.....	9250-9294
CHAPTER 6.	CORRUPT PRACTICES ACT .....	9295-9299
CHAPTER 7.	CRIMES BY AND AGAINST THE EXECUTIVE POWER OF THE STATE .....	9300-9319
CHAPTER 8.	CRIMES AGAINST THE LEGISLATIVE POWER.....	9320-9335
CHAPTER 9.	PERSONAL LOBBYING PROHIBITED .....	9336-9338
CHAPTER 10.	CRIMES AGAINST PUBLIC JUSTICE, BRIBERY AND CORRUPTION .....	9339-9347
CHAPTER 11.	RESCUES .....	9348, 9349
CHAPTER 12.	ESCAPES AND AIDING THEREIN.....	9350-9362
CHAPTER 13.	FORGING, STEALING, MUTILATING AND FALSIFYING JUDICIAL AND PUBLIC RECORDS.....	9363-9365
CHAPTER 14.	PERJURY AND SUBORNATION OF PERJURY.....	9366-9381
CHAPTER 15.	FALSIFYING EVIDENCE .....	9382-9388
CHAPTER 16.	OTHER OFFENSES AGAINST PUBLIC JUSTICE.....	9389-9440
CHAPTER 17.	CONSPIRACY .....	9441-9446
CHAPTER 18.	TREASON AND MISPRISION OF TREASON.....	9447, 9448
CHAPTER 19.	SUICIDE .....	9449-9456
CHAPTER 20.	HOMICIDE .....	9457-9504
CHAPTER 21.	MAIMING .....	9505-9513
CHAPTER 22.	KIDNAPPING .....	9514-9517
CHAPTER 23.	ATTEMPTS TO KILL .....	9518-9520
CHAPTER 24.	ROBBERY .....	9521-9530
CHAPTER 25.	ASSAULTS WITH INTENT TO COMMIT FELONY OTHER THAN ASSAULTS WITH INTENT TO KILL.....	9531-9533
CHAPTER 26.	DUELS AND CHALLENGES .....	9534-9544
CHAPTER 27.	ASSAULT AND BATTERY .....	9545-9549
CHAPTER 28.	LIBEL .....	9550-9562
CHAPTER 29.	RAPE, ABDUCTION, CARNAL ABUSE OF CHILDREN AND SEDUCTION .....	9563-9577
CHAPTER 30.	ADULTERY AND UNLAWFUL COHABITATION.....	9579-9581
CHAPTER 31.	MISCEGENATION .....	9582-9588
CHAPTER 32.	ABANDONMENT AND NEGLECT OF CHILD OR WIFE...	9589-9594
CHAPTER 33.	DESERTION AND NONSUPPORT OF FAMILY.....	9595-9603
CHAPTER 34.	ABORTION AND CONCEALING DEATH OF CHILDREN..	9604-9606

## TABLE OF CONTENTS.

### PENAL CODE — Continued.

		Section
CHAPTER 35.	BABY FARMING .....	9607, 9608
CHAPTER 36.	CHILD STEALING .....	9609
CHAPTER 37.	BIGAMY, INCEST AND SODOMY.....	9610-9616
CHAPTER 38.	VIOLATING SEPULTURE AND THE REMAINS OF THE DEAD . . . . .	9617-9634
CHAPTER 39.	INDECENT EXPOSURE, OBSCENE EXHIBITIONS, BOOKS AND PRINTS AND BAWDY AND OTHER DIS- ORDERLY HOUSES .....	9635-9641
CHAPTER 40.	PROSTITUTION AND WHITE SLAVERY.....	9642, 9643
CHAPTER 41.	BAWDY HOUSES COMMON NUISANCES.....	9644-9651
CHAPTER 42.	SALE OF OBSCENE LITERATURE TO MINORS.....	9652-9655
CHAPTER 43.	ADVERTISEMENTS FOR CURE OF CERTAIN AILMENTS PROHIBITED .....	9656, 9657
CHAPTER 44.	VAGRANCY .....	9658, 9659
CHAPTER 45.	LOTTERIES . . . . .	9660-9674
CHAPTER 46.	GAMING . . . . .	9675-9690
CHAPTER 47.	GAMBLING HOUSES COMMON NUISANCES.....	9691-9698
CHAPTER 48.	BUCKET SHOPS .....	9699, 9700
CHAPTER 49.	PAWNBROKERS .....	9701-9704
CHAPTER 50.	OTHER INJURIES TO PERSONS.....	9705-9741
CHAPTER 51.	CRIMES AGAINST THE PUBLIC HEALTH AND SAFETY.	9742-9790
CHAPTER 52.	IMPORTATION, SALE AND EXPOSURE OF INFECTED STOCK .....	9791-9796
CHAPTER 53.	MARKING OF TUBERCULOUS CATTLE.....	9797, 9798
CHAPTER 54.	MANUFACTURE AND SALE OF ADULTERATED CIGAR- ETTES; SALE OF TOBACCO TO MINORS; USE OF TOBACCO BY MINORS .....	9799-9803
CHAPTER 55.	USE OF FIREARMS BY CHILDREN AND MINORS.....	9804, 9805
CHAPTER 56.	CRIMES AGAINST THE PUBLIC PEACE.....	9806-9826
CHAPTER 57.	CRIMES AGAINST THE REVENUE AND PROPERTY OF THE STATE .....	9827-9848
CHAPTER 58.	ARSON . . . . .	9849-9867
CHAPTER 59.	BURGLARY AND HOUSE BREAKING AND UNLAWFUL ENTERING .....	9868-9881
CHAPTER 60.	FORGERY AND COUNTERFEITING .....	9882-9912
CHAPTER 61.	LARCENY . . . . .	9913-9928
CHAPTER 62.	EMBEZZLEMENT .....	9929-9941
CHAPTER 63.	FRAUDULENTLY USING ELECTRIC CURRENT.....	9942
CHAPTER 64.	EXTORTION. . . . .	9943-9949
CHAPTER 65.	POOLS AND TRUSTS .....	9950-9963
CHAPTER 66.	FALSE PERSONATIONS AND CHEATS.....	9964-9972
CHAPTER 67.	SECURING TRANSPORTATION OR ADVANCEMENTS FRAUDULENTLY . . . . .	9973-9974
CHAPTER 68.	SALE OF PNEUMATIC RUBBER TIRES UNMARKED....	9975-9976
CHAPTER 69.	FRAUDULENTLY FITTING OUT AND DESTROYING VESSELS. . . . .	9977-9980
CHAPTER 70.	FRAUDULENT DESTRUCTION OF PROPERTY INSURED.	9981, 9982
CHAPTER 71.	FALSE WEIGHTS AND MEASURES.....	9983-9988
CHAPTER 72.	FALSE AND MISLEADING ADVERTISING.....	9989-9991
CHAPTER 73.	ILLEGAL BRANDING OF STOCK.....	9992-9998
CHAPTER 74.	FRAUDULENT INSOLVENCIES BY INDIVIDUALS.....	9999-10002
CHAPTER 75.	FRAUDULENT INSOLVENCIES BY CORPORATIONS, AND OTHER FRAUDS IN THEIR MANAGEMENT.....	10003-10024
CHAPTER 76.	REQUISITES OF STEAMBOAT TICKETS.....	10025-10027.

## TABLE OF CONTENTS.

### PENAL CODE — Continued.

		Section
CHAPTER 77.	FRAUDULENT ISSUE OF DOCUMENTS OF TITLES TO MERCHANDISE . . . . .	10028-10034
CHAPTER 78.	MALICIOUS INJURIES TO RAILROADS, HIGHWAYS, BRIDGES, TELEGRAPHS AND DITCHES . . . . .	10035-10045
CHAPTER 79.	USE OF RAILROAD TRACKS FOR HIGHWAY PURPOSES.	10046, 10047
CHAPTER 80.	BLOCKING RAILROAD CROSSINGS . . . . .	10048, 10049
CHAPTER 81.	MALICIOUS MISCHIEF . . . . .	10050-10087
CHAPTER 82.	CLOSING OF FENCE GATES ON FARMS . . . . .	10088-10091
CHAPTER 83.	PROHIBITION, UNLAWFUL DEALING IN INTOXICATING LIQUORS . . . . .	10092-10145
CHAPTER 84.	GOVERNMENT LIQUOR LICENSE . . . . .	10146-10154
CHAPTER 85.	PURE LIQUOR LAW . . . . .	10155-10169
CHAPTER 86.	USE OF INTOXICATING LIQUORS ON PASSENGER TRAINS . . . . .	10170-10173
CHAPTER 87.	PROHIBITION IN PENAL AND CHARITABLE INSTITUTIONS . . . . .	10174
CHAPTER 88.	DISPOSING OF LIQUORS AT PUBLIC OR PRIVATE SALE OF PROPERTY . . . . .	10175
CHAPTER 89.	INSPECTION OF FREIGHT AND EXPRESS BOOKS IN AID OF PROHIBITION LAW . . . . .	10176
CHAPTER 90.	SELLING AND SMOKING OPIUM . . . . .	10177-10179
CHAPTER 91.	MANUFACTURE AND SALE OF SNUFF . . . . .	10180-10183
CHAPTER 92.	MANUFACTURE OR SALE OF CIGARETTES OR CIGARETTE PAPERS . . . . .	10184, 10185
CHAPTER 93.	SPECULATION IN OFFICE . . . . .	10186-10191
CHAPTER 94.	ALLOWING STALLION, BULL OR RAM TO RUN AT LARGE . . . . .	10192-10195
CHAPTER 95.	ADULTERATED DAIRY PRODUCTS . . . . .	10196-10205
CHAPTER 96.	SELLING ADULTERATED AND UNWHOLESOME FOOD OR MEDICINE . . . . .	10206-10209
CHAPTER 97.	SALE OF ADULTERATED INSECTICIDES AND FUNGICIDES . . . . .	10210-10224
CHAPTER 98.	FOULING THE PUBLIC WATERS OF THIS STATE . . . . .	10225-10227
CHAPTER 99.	OBSTRUCTING WATER COURSES . . . . .	10228
CHAPTER 100.	NATURAL GAS TO BE CONFINED . . . . .	10229, 10230
CHAPTER 101.	UNLAWFUL INTERFERENCE WITH TELEGRAPH AND TELEPHONE LINES . . . . .	10231
CHAPTER 102.	DESECRATION OF FLAG . . . . .	10232-10235
CHAPTER 103.	OBSERVANCE OF MEMORIAL DAY . . . . .	10236
CHAPTER 104.	MISCELLANEOUS CRIMES . . . . .	10237-10261
CHAPTER 105.	GAME AND FISH . . . . .	10262-10322
CHAPTER 106.	PROTECTION OF BIRDS AT DEVILS LAKE . . . . .	10323, 10324
CHAPTER 107.	TRESPASSING WHILE HUNTING GAME . . . . .	10325-10327
CHAPTER 108.	GENERAL PROVISIONS . . . . .	10328-10383

TABLE OF CONTENTS.

CODE OF CRIMINAL PROCEDURE

	Section
CHAPTER 1. PRELIMINARY PROVISIONS . . . . .	10384-10396
CHAPTER 2. COURTS HAVING JURISDICTION IN CRIMINAL ACTIONS	10397-10402
CHAPTER 3. PROCEEDINGS FOR THE REMOVAL OF PUBLIC OFFENSES.....	10403-10439
Article 1. Lawful resistance . . . . .	10403-10405
Article 2. Intervention of the officers of justice.....	10406, 10407
Article 3. Security to keep the peace.....	10408-10425
Article 4. Police in cities and villages, and their attend- ance at public meetings.....	10426, 10427
Article 5. Suppression of riots.....	10428-10439
CHAPTER 4. PROCEEDINGS FOR THE REMOVAL OF PUBLIC OFFICERS	10440-10482
Article 1. Removal by impeachment.....	10440-10466
Article 2. Removal by judicial proceedings.....	10467-10482
CHAPTER 5. BASTARDY PROCEEDINGS . . . . .	10483-10500
CHAPTER 6. PROCEEDINGS IN CRIMINAL ACTIONS PROSECUTED BY INFORMATION OR INDICTMENT, TO THE COM- MITMENT INCLUSIVE . . . . .	10501-10624
Article 1. Local jurisdiction of public offenses.....	10501-10519
Article 2. Time of commencing criminal actions.....	10520-10524
Article 3. The complaint, information or indictment and magistrates . . . . .	10525-10529
Article 4. The complaint . . . . .	10530-10534
Article 5. The warrant of arrest.....	10535-10555
Article 6. Arrest, by whom and how made.....	10556-10579
Article 7. Warrants and service thereof by telegraph..	10580-10584
Article 8. Railway police . . . . .	10585-10591
Article 9. Retaking after an escape or rescue.....	10592, 10593
Article 10. Identification of persons charged with crime.	10594
Article 11. Preliminary examinations . . . . .	10595-10624
CHAPTER 7. PROCEEDINGS ON INFORMATION OR INDICTMENT....	10625-10682
Article 1. Preliminary provisions . . . . .	10625-10627
Article 2. The information . . . . .	10628-10633
Article 3. Calling of the grand jury.....	10634, 10635
Article 4. Formation of the grand jury.....	10636-10655
Article 5. Powers and duties of the grand jury.....	10656-10669
Article 6. Presentment and proceedings therein.....	10670-10676
Article 7. Finding and presentation of the indictment..	10677-10682
CHAPTER 8. RULES OF PLEADING AND FORM OF THE INFORMATION OR INDICTMENT . . . . .	10683-10707
CHAPTER 9. PLEADINGS AND PROCEEDINGS AFTER INFORMATION OR INDICTMENT AND BEFORE THE COMMENCE- MENT OF THE TRIAL . . . . .	10708-10787
Article 1. Arraignment of the defendant.....	10708-10727
Article 2. Setting aside the information or indictment..	10728-10734
Article 3. Demurrer . . . . .	10735-10745
Article 4. Plea . . . . .	10746-10755
Article 5. Removal of the action before trial.....	10756-10768
Article 6. The mode of trial.....	10769-10772
Article 7. Formation of the trial jury.....	10773-10786
Article 8. Postponement of the trial.....	10787
CHAPTER 10. PROCEEDINGS AFTER THE COMMENCEMENT OF THE TRIAL AND BEFORE JUDGMENT.....	10788-10901
Article 1. Challenging the jury.....	10788-10820
Article 2. The trial . . . . .	10821-10867

## TABLE OF CONTENTS.

### CODE OF CRIMINAL PROCEDURE — Continued.

	Section
CHAPTER 10. PROCEEDINGS AFTER COMMENCEMENT, ETC.—Cont'd.	
Article 3. Conduct of the jury after the cause is submitted to them.....	10868-10875
Article 4. The verdict .....	10876-10901
CHAPTER 11. PROCEEDINGS AFTER VERDICT AND BEFORE JUDGMENT .....	10902-10923
Article 1. Statement of the case and exceptions.....	10902-10915
Article 2. New trials .....	10916-10920
Article 3. Arrest of judgment.....	10921-10923
CHAPTER 12. JUDGMENT AND EXECUTION .....	10924-10988
Article 1. The judgment .....	10924-10942
Article 2. Indeterminate sentence and parole.....	10943-10949
Article 3. Probation of criminals.....	10950-10958
Article 4. Leniency for first offenders.....	10959
Article 5. Aid to poor convicts.....	10960
Article 6. The execution .....	10961-10988
CHAPTER 13. APPEALS . . . . .	10989-11022
Article 1. Notice of appeal and service.....	10989-11006
Article 2. Dismissing appeal for irregularity.....	11007, 11008
Article 3. Argument of the appeal.....	11009-11012
Article 4. Judgment in supreme court.....	11013-11022
CHAPTER 14. WITNESSES AND EVIDENCE .....	11023-11062
Article 1. Compelling the attendance of witnesses.....	11023-11038
Article 2. Depositions in criminal actions.....	11039-11049
Article 3. Taken without the state.....	11050-11062
CHAPTER 15. MISCELLANEOUS PROVISIONS .....	11063-11171
Article 1. Inquiring into the insanity of the defendant before trial or after conviction.....	11063-11071
Article 2. Compensation for attorneys and witnesses... ..	11072, 11073
Article 3. Compromising misdemeanors by leave of the court . . . . .	11074-11077
Article 4. Corporations, criminal actions against.....	11078-11086
Article 5. Entitling affidavits .....	11087
Article 6. Errors and mistakes in pleadings or other proceedings . . . . .	11088
Article 7. Disposal of property stolen or embezzled....	11089-11095
Article 8. Forfeiture of weapons.....	11096
Article 9. Reprieves, commutations and pardons.....	11097-11110
Article 10. Bail . . . . .	11111-11128
Article 11. Search warrants .....	11129-11149
Article 12. Proceedings against fugitives from justice..	11150-11165
Article 13. Dismissal of the action before or after information or indictment found for want of prosecution . . . . .	11166-11171
CHAPTER 16. GENERAL PROVISIONS AND DEFINITIONS APPLICABLE TO THIS CODE .....	11172-11180
CHAPTER 17. THE PENITENTIARY AND STATE REFORM SCHOOL....	11181-11303
Article 1. The penitentiary .....	11181-11183
Article 2. State reform school .....	11184-11190
Article 3. Governing boards, their appointment, qualification, organization and duties.....	11191-11203
Article 4. The warden and officers of the penitentiary and their duties .....	11204-11212
Article 5. How persons committed to the penitentiary.	11213, 11214
Article 6. Diminution of sentence for good conduct....	11215-11218

## TABLE OF CONTENTS.

### CODE OF CRIMINAL PROCEDURE—Continued.

	Section
<b>CHAPTER 17. THE PENITENTIARY, ETC.—Continued.</b>	
Article 7. Discipline, employment and discharge of inmates . . . . .	11219–11227
Article 8. Escapes . . . . .	11228
Article 9. Parole of inmates . . . . .	11229–11234
Article 10. Establishment and regulation of twine and cordage plant . . . . .	11235–11248
Article 11. Twine plant finances. . . . .	11249–11252
Article 12. Operation of twine plant. . . . .	11253–11255
Article 13. State prison revolving fund. . . . .	11256–11260
Article 14. Compensation of prisoners in state penitentiary . . . . .	11261–11269
Article 15. Employment of inmates of penitentiary upon public buildings and roads. . . . .	11270–11274
Article 16. The superintendent and officers of the reform school and their duties. . . . .	11275–11280
Article 17. Commitments to the reform school. . . . .	11281–11290
Article 18. Reform school parole. . . . .	11291–11294
Article 19. Status of inmates of reform school. . . . .	11295
Article 20. Insane inmates . . . . .	11296, 11297
Article 21. Decease of inmates. . . . .	11298–11303
<b>CHAPTER 18. COUNTY JAILS . . . . .</b>	<b>11304–11317</b>
<b>CHAPTER 19. COUNTY WORKHOUSES . . . . .</b>	<b>11318–11320</b>
<b>CHAPTER 20. PRISONS AND IMPRISONMENT FOR OFFENSES. . . . .</b>	<b>11321–11358</b>
<b>CHAPTER 21. HABEAS CORPUS . . . . .</b>	<b>11359–11399</b>
<b>CHAPTER 22. GENERAL PROVISIONS . . . . .</b>	<b>11400–11401</b>
<b>CHAPTER 23. JUVENILE COURT . . . . .</b>	<b>11402–11428</b>
<b>CHAPTER 24. STERILIZATION OF DEFECTIVES AND CRIMINALS. . . . .</b>	<b>11429–11438</b>