

shall be had under the provisions of this act unless the same has been allowed by the court or judge thereof on due notice, *Provided*, That this act shall not be construed to apply to trials and juries in criminal cases.

§ 5. This act shall take effect and be in force immediately on and after its passage and approval.

Approved, March 13, 1885.

Justices of the Peace.

CHANGE OF VENUE.

CHAPTER 85.

AN ACT to Amend "An act the Establish a Code of Proceedings in Courts of Justice of the Peace, and to Limit the Jurisdiction of the Same.

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

§ 1. THIS SECTION TO APPLY.] Section one hundred and twelve of the Justice's Code of the Territory of Dakota, be and the same is hereby amended by adding at the end of said section the following proviso: *Provided*, That this section shall apply to all examinations and proceedings under chapter three of title two of the Code of Criminal Procedure, relating to the jurisdiction and duties of justices of the peace in cases of security to keep the peace; and also to examinations held under, or pursuant to, chapter seven of title four of said Code, in all cases where the person complained of is not brought before a Judge of the Supreme Court or of the District Court.

§ 2. This act shall take effect and be in force from and after its passage.

Approved, March 12, 1885.

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TIME OF TRIALS AND POSTPONEMENTS.

CHAPTER 86.

AN ACT to Amend Section Forty-seven of the Justices' Code of the Territory of Dakota.

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

§ 1. DEPOSITIONS.] That section forty-seven of the Justice's Code of the Territory of Dakota, be and the same is hereby amended by adding at the end of said section the following: " And if the trial be postponed the depositions of witnesses residing out of the county or territory may be taken either upon commission issued by the justice, or upon notice to take depositions in the same manner as is provided by the Code of Civil Procedure ; and such depositions shall, when completed, be directed to the justice, and be published by the justice in the same manner as depositions are published by the clerk of the District Court."

Approved, February 27, 1885.

Justices Practice.

CHAPTER 87.

AN ACT Authorizing County Boards to Purchase the "Dakota Justice Court Practice, Civil and Original," for Justices of the Peace.

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

§ 1. COUNTY BOARD MAY PURCHASE] That the county board of each county in the Territory of Dakota, is hereby authorized to purchase for each justice of the peace in their respective counties, at a price not exceeding five dollars per volume, one copy of the "Dakota Justice Court Practice, Civil and Criminal," prepared, copy-righted and published by Americus B. Melville.

§ 2. HOW TO PURCHASE.] Whenever any county board shall