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## COURT RECORDS.

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### CHAPTER 57.

[H. F. 275.]

#### TRANSFER OF RECORDS IN CERTAIN CASES.

AN ACT to Provide for the Clerks of Court to Transcribe and Deliver all Papers and Records Pertaining in any Manner to any Civil and Criminal Action now Pending in any County to the Clerk of the Court of the County in which such Action or Actions Properly Belong.

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

§ 1. ACTIONS, TO BE TRIED IN SUBDIVISION WHERE CAUSE AROSE.] That all actions and proceedings, both civil and criminal, now pending in any subdivision in any judicial district, heretofore created by act or acts of the Legislature of the Territory of Dakota which do not properly belong therein under the provisions of the Code of Civil Procedure and the Code of Criminal Procedure of the Territory of Dakota, now State of North Dakota, by reason of the change in the judicial districts and subdivisions thereof heretofore existing by law, said change made and established by Section 105 of the Constitution of the State of North Dakota, shall be tried, heard and determined in the district court held in the district and in the county wherein the cause of action arose, or the offense was committed, or the venue is laid.

§ 2. TRANSCRIBING OF RECORDS—DUTY OF CLERK.] That the clerk of the court of any county having within his custody any papers or records pertaining in any manner to any action or proceeding, either civil or criminal, which does not properly belong to his county according to the provisions of Section 1 of this act, shall and is he hereby required under his hand and seal, where a seal is required by law to be used, transcribe and deliver all such papers and records to the clerk of the court of the county to which the same properly belongs; *Provided, however,* That such clerk of the court may retain possession of all such papers and records until such time as all accrued fees in the action or actions to be transferred are fully paid.

§ 3. EMERGENCY.] An emergency exists in that by constitutional provision the boundaries of judicial districts have been changed and actions are now pending in counties in which they do not properly belong; therefore, this act shall be in force and effect from and after its passage and approval.

Approved March 31, 1890.