

DISTRICT COURTS.

CHAPTER 61.

[S. F. 8.]

PROVIDING FOR INTERCHANGING OF DISTRICT JUDGES.

AN ACT to Provide for the Interchanging of District Judges and for Holding Court When the Judge Thereof is for any Reason Unable to Act.

WHEREAS, Section 116 of Article 4 of the Constitution provides that "Judges of district courts may hold court in other districts than their own under such regulations as shall be prescribed by law;" therefore,

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

§ 1. WHEN INTERCHANGE SHALL BE REQUESTED.] That whenever the judge of a district court is unable to act for any reason in holding a term of court, or is disqualified from trying any case by reason of having been attorney in said action or for any other disqualifying reason, then it shall be the duty of said judge so disqualified to request one of the district judges not disqualified to hold said court, or to preside at said court, and try such case or cases, and do and perform all such acts as might have been done and performed by the judge of said district.

§ 2. DUTY OF JUDGE CALLED UPON TO RESPOND.] That it shall be the duty of the district judge so requested to respond by holding said district court, or to try and determine any motion, case or cases, as provided for in Section 1 of this act; *Provided, however,* That said judge so requested can do so without neglecting or disarranging the court business of his own district.

§ 3. EMERGENCY.] That, whereas, it is important and necessary that this act should take effect as soon as practicable and at a date long prior to July 1, 1890, therefore for reasons aforesaid this act shall take effect and be in force from and after its passage and approval.

Approved February 10, 1890.