

his direction, and be subscribed by the witnesses respectively, and the coroner shall forthwith file such testimony together with a record of all proceedings had before him, in the office of the clerk of the district court of the county wherein such inquest is held. And in all cases brought to the attention of the coroner wherein he does not deem it necessary to hold an inquest he shall file with such clerk a certificate setting forth the facts in relation thereto. And the clerk of said court shall forthwith duly file, index and enter such case or proceeding in a book or books to be kept for that purpose, in the same manner as proceedings in civil actions are now entered, and shall receive from the treasury of said county the same fees, as are now allowed by law for like services, and for the purpose of more fully complying with the spirit and intent of this law, it is hereby made obligatory on the clerk of the district court to index and enter in the manner above described any and all above described proceedings of the coroner that have heretofore at any time been filed in the office of the clerk of the district court.

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 All acts and parts of acts in conflict with this act are hereby repealed.

Approved, March 12, 1895.

COUNTIES.

CHAPTER 38.

[H. B. No. 147.]

NEW COUNTIES—HOW ORGANIZED.

AN ACT To Amend Section 10 of Chapter 38, Laws of 1887, Being Section 545 of the Compiled Laws.

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

§ 1. AMENDMENT.] Section 10 of Chapter 38, of the Laws of 1887, being Section 545 of the Compiled Laws, is hereby amended to read as follows:

“§ 10. DUTY OF COMMISSIONERS.] When a new county is organized in whole or in part, from an organized county or from territory attached to such organized county for judicial purposes, it shall be the duty of the commissioners of such new county to cause to be transcribed in the proper books all the records of deeds or other instruments relating to real estate in such new county, and all contracts heretofore made by any board of county commissioners for the transcribing of any such records are hereby made

valid and all records transcribed thereunder, or under the provisions of this act shall have the same effect in all respects as original records, and any person authorized by such boards of county commissioners to transcribe such records shall have free access at all reasonable times to such original records for the purpose of transcribing the same."

Approved, March 12, 1895.

COURT.

CHAPTER 39.

[S. B. No. 118.]

DEPOSITS OF MONEY IN COURT.

AN ACT Providing for the Deposit in Court, of Money, Property or Effects for Which there are Adverse Claimants.

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

§ 1. DEPOSITS OF MONEY IN COURT—DEPOSITORY NAMED.] Whenever two or more persons make claim for the whole or any part of the same money, personal property or effects in the possession or control of any other person, as bailee or otherwise, and the right of any such claimant is adverse to the right of any other claimant, or is disputed or doubtful, and the bailee, custodian or person in control of any part of such property, money or effects, is unable to determine to whom the same rightfully belongs, or who is rightfully entitled to the possession thereof; or whenever such bailee, custodian or person in control has notice or knowledge of any right or claim of right of any person in or to any part of such property, money or effects, adverse to the right of any other claimant therefor; or whenever any debt, money, property or effects owing by, or in the possession of or under the control of, any person may be attached by garnishment or other process, and there is any dispute as to who is entitled to the same, or any part thereof; in any such case the person in the possession or control of any such property, money or effects, when an action in any form has been commenced, for on account of, or growing out of, the same, or in which the same has been attached as aforesaid, may pay such money or deliver such property or effects to the clerk of the court in which any such action having reference to said money, property or effects, or the value thereof, may be pending, or out of which any garnishment or other process may issue