

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

with reference thereto; or, if no such suit be commenced, he may apply to the district court of the district where such property, money or effects may be situated, and upon showing to the satisfaction of the court the existence of facts bringing him within the operation of this act, said court shall make an order designating a depository with whom said property, money or effects may be deposited by the applicant for such order. In either case, such person in the possession or control of such property, money or effects shall at once notify, personally or by registered mail, all persons, of whose claims he may have notice or knowledge, having or claiming any interest, property, lien or right in, to or upon such property, money or effects, of such deposit; and, upon giving such notice, the person so depositing the same shall thereupon be relieved from further liability to any person on account of such property, money or effects; *Provided*, That such depositor may be required, upon the application of any party interested therein, to appear and make disclosure before the court in which any such action may be pending, or by which any order designating a depository may be made, concerning the said property, money, debts or effects, held, controlled or owed by him. If the address of any persons having or making any claim as aforesaid cannot be ascertained, an affidavit to that effect shall be filed with the depository, and the giving of such notice shall not be required in such case.

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

Approved, March 14, 1895.

CHAPTER 40.

[S. B. No. 103.]

DISTRICT COURT IN WELLS COUNTY.

AN ACT to Amend Section 8, Chapter 79, of the Laws of 1891, Changing the Place of Holding District Court in Wells County.

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

§ 8. CHAPTER 79—SEVENTH SUBDIVISION.] That the seventh judicial subdivision of said district shall consist of the county of Wells, and two terms of the district court shall be held therein each year, at the town of Fessenden, in said county, commencing on the Fourth Tuesday of March and September of each year.

§ 1. EMERGENCY.] *Whereas*, An emergency exists in that this act should be in force on or before the twentieth day of March next, *Therefore* this act shall take effect and be in force from and after its passage and approval.

Approved, March 2, 1895.