

ATTACHMENT.

CHAPTER 30.

[S. B. 32.]

RELATING TO ATTACHMENT.

AN ACT to Amend Section 5352 of the Revised Codes of North Dakota, Relating to Attachment.

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

That section numbered five thousand three hundred and fifty-two be, and the same is hereby amended to read as follows:

§ 1. RELATING TO ATTACHMENT.] In an action on a contract or judgment for the recovery of money only, for the wrongful conversion of personal property, or for damages, whether arising out of contract or otherwise, the plaintiff at or after the commencement thereof may have the property of the defendant attached in the following cases:

First. When the defendant is not a resident of this State or is a foreign corporation.

Second. When the defendant has absconded or concealed himself.

Third. When the defendant has removed or is about to remove his property, or a material part thereof from this state, not leaving enough therein for the payment of his debts.

Fourth. When the defendant has sold, assigned, transferred, secreted or otherwise disposed of, or is about to sell, assign, transfer, secrete or otherwise dispose of his property, with intent to cheat or defraud his creditors, or to hinder or delay them in the collection of their debts.

Fifth. When the defendant is about to remove his residence from the county where he resides with the intention of permanently changing the same, and fails or neglects on demand to give security for the debt upon which the action is commenced.

Sixth. When the debt upon which the action is commenced was incurred for property obtained under false pretenses.

Seventh. When the defendant is about to remove his property or a material part thereof from the State with the intent or to the effect of cheating or defrauding his creditors or hindering or delaying them in the collection of their debts.

Eighth. In an action to recover purchase money, for personal

property sold to the defendant, an attachment may be issued and levied upon such property.

EMERGENCY.] *Whereas*, An emergency exists in this, that there is no existing provision of law for the issuing of an attachment in action for purchase money; *Therefore*, this act shall take effect and be in force from and after its passage and approval.

Approved, February 24, 1897.

BANKING.

CHAPTER 31.

[H. B. 14.]

RELATING TO BANKING.

AN ACT to Amend Sections Numbered 3231, 3242, 3254, 3255, 3256 and 3258 of Chapter 20, of the Revised Code of 1895, Relating to Banking.

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

Section 3231 be and is hereby amended so as to read as follows: Hereafter, no association shall be organized under this chapter in cities, towns or villages containing five hundred inhabitants or less, with a capital less than five thousand dollars; in cities, towns or villages of over five hundred, and not exceeding one thousand inhabitants with a capital less than ten thousand dollars; in cities, towns or villages of over one thousand and not exceeding one thousand five hundred inhabitants with a capital less than fifteen thousand dollars; in cities, towns or villages of over one thousand five hundred and not exceeding two thousand inhabitants, with a capital less than twenty thousand dollars; in cities, towns or villages of over two thousand and not exceeding two thousand five hundred inhabitants, with a capital less than thirty thousand dollars; in cities, towns or villages of over two thousand five hundred and not exceeding three thousand inhabitants, with a capital less than forty thousand dollars; and in cities, towns or villages of over three thousand inhabitants, with a capital less than fifty thousand dollars. At least fifty per cent of the capital stock of every association shall be paid in before it shall be authorized to commence business, the balance of which shall be paid in by installments of not less than ten per cent at the end of each succeeding month from the time it is authorized to commence business. The payment of each installment shall be certified to the Secretary of State, under the oath of the president or cashier of the association, a copy of which shall be filed by