

tion pending in any of the District Courts of the state shall, after issue joined and before the opening of any term at which the cause is to be tried, file an affidavit, corroborated by the affidavit of his attorney in such cause and that of at least one other reputable person, stating that there is good reason to believe that such party cannot have a fair and impartial trial of said action by reason of the prejudice, bias or interest of the judge of the District court in which the action is pending, the court shall proceed no further in the action, but shall forthwith request, arrange for, and procure, the judge of some judicial district of the state to preside at said trial in the county of the judicial subdivision in which the action is pending. The actual expenses of such judge while in attendance upon the trial of the cause for which the change was had and the extra expense of the court and jury, incurred by reason of said change, shall be paid by the person asking for the change, in advance, or a bond to be approved by the clerk of the District Court given therefor, the amount of said bond being fixed by the presiding judge, provided that not more than one such change shall be granted on the application of either party.

Approved March 1, 1899.

CORPORATIONS.

CHAPTER 52.

[S. B. 49.]

SECRETARY OF STATE SHALL CERTIFY.

AN ACT to Amend Section 2869 of the Civil Code, Providing for the Secretary of State to Making Record of, and Certifying to the State Examiner, when Charter is Granted to Certain Corporations.

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

§ 1. AMENDMENT.] That section 2869 of the Civil Code of the State of North Dakota be and is hereby amended so as to read as follows:

§ 2869. RECORD BY SECRETARY AND CERTIFYING TO STATE EXAMINER.] Upon the filing of any articles of incorporation as in the last section is prescribed, the secretary of state shall cause the same to be recorded in a book to be kept in his office for that purpose to be called the "Book of Corporations," with the date of filing. And upon filing and recording of any articles of incorporation of any bank, building and loan association, or any moneyed corporation subject to examination by the state examiner, the secretary

of state shall forthwith certify to the state examiner the fact that articles of incorporation have been filed, giving the date of such filing.

§ 2. EMERGENCY.] Whereas, an emergency exists in that there is no provision whereby the state examiner is informed of the incorporation of associations coming under his supervision; therefore, this act shall take effect and be in force immediately after its passage and approval.

Approved March 8, 1899.

CHAPTER 53.

[H. B. 194.]

REAL ESTATE HOLDINGS LIMITED.

AN ACT to Amend Section 2859, Chapter 11, of the Revised Codes of North Dakota.

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

§ 2859. RELIGIOUS AND CHARITABLE, LIMITED.] No corporation or association for religious or charitable purposes shall acquire or hold real estate in this state of greater value than one hundred thousand dollars.

Approved March 9, 1899.

CHAPTER 54.

[S. B. 101.]

LEGALIZING ACTS OF NOTARIES PUBLIC.

AN ACT Legalizing the Acts of Officers and Stockholders of Corporations as Notaries Public in Cases Where the Corporation is Interested.

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

§ 1. OFFICIAL ACTS VALID IN CERTAIN CASES.] That all acknowledgments, affidavits or protests heretofore taken or made by any officer or stockholder of any corporation, who was at the time of taking the same, a duly appointed and qualified notary public in this state or the former Territory of Dakota; and all other official acts of said notary public are hereby declared to be valid, notwithstanding the corporation, of which said notary was an officer or stockholder, was interested in or a party to the instrument acknowledged or protested, or that the affidavit was one that was required

to be taken by some person on behalf of, or against, such corporation, or that any other official act performed by said notary, was one that in some manner related to the business of such corporation.

§ 2. EMERGENCY.] An emergency exists in that the acknowledgment of a large number of deeds conveying lands by corporations in this state to purchasers thereof, may be defective by reason that the acknowledgments thereto were taken by a notary public who, at the time of taking said acknowledgments, was an officer or stockholder of the corporation conveying said land, and for that reason the record thereof is not notice to subsequent purchasers or encumbrancers; therefore, this act shall take effect and be in force from and after its passage and approval.

Approved March 8, 1899.

CHAPTER 55.

[S. B. 23.]

JUDGMENT OF DISSOLUTION.

AN ACT Providing for Judgment of Dissolution in Certain Actions Against Corporations.

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

§ 1. JUDGMENT OF DISSOLUTION.] In any action now or hereafter pending against a corporation organized under the laws of the Territory of Dakota, or of this state, in which a receiver has been appointed, and the property of the corporation taken into the custody of the court, if it shall appear that such corporation has abandoned and forfeited its franchise as provided in chapter 73 of the Laws of 1897, the court shall not dismiss such action, but shall give judgment and distribute the property of such corporation as provided in section 5779 of the Revised Codes.

§ 2. EMERGENCY.] Whereas, an emergency exists in that there is no provision of law for enforcing the forfeiture provided in chapter 73 of the Laws of 1897; therefore, this act shall take effect and be in force from and after its passage and approval.

Approved February 24, 1899.