

DIVORCE.

CHAPTER 75.

[S. B. 1.]

DISSOLUTION OF MARRIAGE.

AN ACT to Amend Section 2755 of the Revised Codes of North Dakota.
Relating to Dissolution of Marriage.

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

§ 1. AMENDMENT.] That section 2755 of the Revised Codes of the State of North Dakota is hereby amended to read as follows:

§ 2755. TERM OF RESIDENCE.] A divorce must not be granted unless the plaintiff has in good faith been a resident of the state for twelve months next preceding the commencement of the action and is a citizen of the United States or has declared his intention to become such.

§ 2. REPEAL.] All acts or parts of acts in conflict with the provisions of this act are hereby expressly repealed.

Approved February 3, 1899.

CHAPTER 76.

[S. B. 102.]

WHEN ACT SHALL APPLY.

AN ACT Providing that the Provisions of the Act Entitled "An Act to Amend Section 2755 of the Revised Codes of North Dakota, Relating to Dissolution of Marriage," Shall Not Apply to Any Action in Which the Complaint Shall Have Been Filed in the Office of the Clerk of the District Court Prior to July 1, 1899.

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

§ 1. SHALL NOT APPLY PRIOR TO JULY 1ST, 1899.] The provisions of the act entitled "An act to amend section 2755 of the Revised Codes of North Dakota relating to the Dissolution of Marriage," shall not apply to any action for divorce in which the complaint shall have been filed in the office of the clerk of the District Court prior to the first day of July, 1899.

Approved March 8, 1899.

CHAPTER 77.

[H. B. 7.]

CAUSES FOR DIVORCE.

AN ACT to Amend Sections 2737 and 2743 of the Revised Codes of North Dakota, Relating to the Causes for Divorce and Duration Thereof.

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

§ 1. AMENDMENT.] That section 2737 of the Revised Codes be amended so as to read as follows:

§ 2737. Divorces may be granted for any of the following causes: First, adultery; second, extreme cruelty; third, wilful desertion; fourth, wilful neglect; fifth, habitual intemperance; sixth, conviction for felony; seventh, incurable insanity.

§ 2. AMENDMENT.] That section 2743 of the Revised Codes be amended to read as follows:

§ 2743. Wilful desertion, wilful neglect or habitual intemperance must continue for one year before either is a ground for a divorce, and incurable insanity must continue for two years, the person so affected to have been confined in an asylum for the insane during such time, before it is a cause for divorce, and the testimony of the superintendent of such asylum, showing such person to be incurably insane, must be produced before the court granting such divorce before the same shall be granted.

Approved March 6, 1899.

CHAPTER 78.

[S. B. 12.]

ALIMONY IN DIVORCE CASES.

AN ACT to Amend Section 2761 of the Revised Codes of the State of North Dakota, of Revision of 1895, Relating to the Granting of Alimony in Divorce Cases.

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

§ 1. AMENDMENT.] That section 2761 of the Revised Codes of the State of North Dakota is hereby amended to read as follows:

§ 2761. SUPPORT.] When a divorce is granted for an offense of the husband the court may make such suitable allowance to the wife for her support during her life or for a shorter period as the court may deem just; and when such divorce is granted for the offense of either the husband or wife, the court may compel such

husband to provide for the maintenance of the children of the marriage, having regard to the circumstances of the parties respectively; and the court may from time to time modify its orders in these respects.

Approved February 24, 1899.

DRAINS.

CHAPTER 79.

[H. B. 46.]

CONSTRUCTION OF DRAINS.

AN ACT to Amend Sections 1447, 1448, 1450, 1452, 1453, 1454, 1457 and 1466 of the Revised Codes, Relating to the Establishment, Construction and Maintenance of Drains.

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

§ 1. AMENDMENT.] That sections 1447, 1448, 1450, 1452, 1453, 1454, 1457 and 1466 of the Revised Codes of 1895 be amended so as to read as follows:

§ 1447. A petition for the construction of a drain may be made in writing to the board of drain commissioners. If among the leading purposes of the proposed drain are benefits to the health, convenience or welfare of the people of any city or other municipality, the petition shall be signed by a sufficient number of the citizens of such municipality or municipalities to satisfy the board of drain commissioners that there is a public demand for such drain. If the chief purpose of such drain is the drainage of agricultural, meadow, grazing or other lands, the board of drain commissioners shall require that the petition be signed by the owners, their agents duly authorized in writing or the legal representatives of the owners of such lands, as in the aggregate will, in the event of the construction of the drain be liable to assessment for a major portion of the cost thereof. Upon the presentation of a petition as hereinbefore provided, and filing of the same, the board of drain commissioners shall, personally, as soon as practicable, proceed to examine the line of the proposed drain, and if in its opinion it is necessary and for the public good, it shall cause a survey of the line thereof to be made by a competent surveyor, who shall establish the commencement and terminus and determine the route, width, length and depth thereof. For the purpose of making examinations or surveys, the board of drain commissioners, surveyors and their employes may enter upon land traversed by any such proposed drain, or upon other lands when necessary. Such surveyor shall prepare profiles, plans and specifications of the proposed drain, an estimate of the