

# TITLE TO REAL ESTATE.

## CHAPTER 201.

[S. B. 116.]

### TITLE TO OR BOUNDARY OF REAL ESTATE.

AN ACT to Amend Section 6670 of the Revised Codes of 1899, and to Repeal Section 6671 of the Revised Codes of 1899.

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

§ 1. That section 6670, Revised Codes of 1899, be, and the same is hereby amended to read as follows:

§ 6670. TITLE TO REAL ESTATE.] A question of title to, or boundary of, real property cannot be determined in a justice's court, and when such question arises upon a material issue joined as prescribed in the preceding section, or when such question arises by controversy in the evidence as to a fact material to the determination of the issues in the action, the justice must discontinue the trial and forthwith certify and transmit to the district court of his county all the pleadings and papers filed with him in such action; for which transcript the justice shall receive one dollar to be paid by the plaintiff. Such transcript shall be filed in the district court at the cost of plaintiff; and thereupon the district court shall have the same jurisdiction over such action as if it had been originally commenced therein.

§ 2. TRIED IN DISTRICT COURT.] Such action shall be forthwith entered on the calendar of the district court and shall, unless continued for cause, stand for trial at the next regular term of said court; provided, however, that the transcript is filed in the district court during a term thereof such action shall, unless continued for cause, stand for trial at such current term. No notice of trial or note of issue shall be required of either party.

§ 3. REPEAL.] Section 6671, Revised Codes of 1899, and all other acts or parts of acts inconsistent with the provisions of this act, are hereby repealed.

Approved March 13, 1901.