

ABSTRACTS

CHAPTER 2.

[S. B. No. 55—Johnson of McLean]

ABSTRACTS OF TITLE.

AN ACT to Provide for the Making of Certain Abstracts of Title Prima Facie Evidence of Title and to Provide for the Recording of the Same.

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

§ 1. ABSTRACT PRIMA FACIE EVIDENCE OF TITLE.] In any and all cases where the records of deeds, mortgages, liens, judgments and instruments of like nature in any county have been lost or destroyed, the abstract of a regular bonded abstractor or abstractors of said county in which the same are lost or destroyed shall be deemed prima facie evidence of title and any regularly certified abstract may be recorded as are other instruments.

§ 2. EMERGENCY.] Whereas, an emergency exists in that the records of Mercer county have been destroyed by fire, therefore this act should take effect and be in force from and after its passage and approval.

Approved March 19, 1907.

ABSTRACTS AND BRIEFS

CHAPTER 3.

[S. B. No. 279—Purcell]

TYPEWRITTEN ABSTRACTS AND BRIEFS.

AN ACT Authorizing the Use of Typewritten Abstracts and Briefs in Certain Criminal Cases on Appeal to the Supreme Court.

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

§ 1. PERMITTED, WHEN.] Upon appeal to the supreme court in criminal cases, where it shall be made to appear to the supreme court by the affidavit of the appellant that he has not the means with which to pay for printing the abstracts and briefs, he shall be permitted to file and use on such appeal typewritten abstracts

and briefs, which typewritten abstracts and briefs shall be prepared in accordance with the rules of the supreme court.

§ 2. REPEAL.] All acts and parts of acts inconsistent with this act are hereby repealed.

§ 3. EMERGENCY.] Whereas, there is now no provision of law authorizing the use of typewritten abstracts and briefs on appeals to the supreme court in criminal cases, this act shall take effect and be in force from and after its passage and approval.

Approved March 19, 1907.

ACTIONS

CHAPTER 4.

[S. B. No. 29—Purcell]

EXAMINATION OF ADVERSE PARTY.

AN ACT to Amend Section 7252 of the Revised Codes of 1905, Relating to Examination of an Adverse Party.

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

§ 1. AMENDMENT.] Section 7252 of the revised codes of 1905, relating to the examination of an adverse party, is amended and re-enacted so as to read as follows:

§ 7252. EXAMINATION ADVERSE PARTY.] A party to the record of any civil action or proceeding, or a person for whose immediate benefit such action or proceeding is prosecuted or defended, or the directors, officers, superintendent or managing agents of any corporation which is a party to the record in such action or proceeding, may be examined upon the trial thereof as if under cross-examination at the instance of the adverse party or parties or any of them, and for that purpose may be compelled in the same manner and subject to the same rules for examination as any other witness to testify, but the party calling for such examination shall not be concluded thereby, but may rebut it by counter testimony.

Approved February 19, 1907.