

## JUDICIAL DISTRICTS

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### CHAPTER 159.

[S. B. No. 290—Simpson]

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#### TERMS OF JUDGES OF DISTRICT COURTS.

AN ACT to Amend and Re-Enact Section 468 of the Revised Codes of North Dakota for the Year A. D. 1905, Relating to Judicial Districts Within the State.

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

§ 1. AMENDMENT.] Section 468 of the revised codes of 1905, relating to judicial districts is amended and re-enacted so as to read as follows:

§ 468. JUDICIAL DISTRICTS.] The state is divided into ten judicial districts, and terms of court shall be held in each district as provided in this article. There shall be elected in each judicial district a judge of the district court, whose term of office shall be four years from the first Monday in January next succeeding his election and until his successor is elected and qualified.

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 All acts and parts of acts inconsistent with this act are hereby repealed.

Approved March 23, 1907.

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### CHAPTER 160.

[H. B. No. 152—Shirley]

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#### TERMS OF COURT, FIRST DISTRICT.

AN ACT to Amend Section 469 of the Revised Codes of North Dakota of 1905, Relating to the Boundaries and Terms of Court in the First Judicial District.

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

§ 1. AMENDMENT.] Section 469 of the revised codes of North Dakota of 1905 is amended to read as follows:

§ 469. BOUNDARIES AND TERMS OF COURT.] The first judicial district consists of the counties of Grand Forks and Nelson, and terms of the district court shall be held each year at the county seat of each of said counties as follows:

In Grand Forks county, commencing on the first Tuesday in each month, excepting the months of August and September; but a jury shall not be called for any term unless, in the opinion of the judge, there is sufficient business to demand a jury; provided, that a jury shall be called for at least two terms of said court each year.

In Nelson county, commencing on the first Monday after the fourth day of July and the first Monday after the first day of January.

§ 2. REPEAL.] All acts and parts of acts in conflict herewith are hereby repealed.

Approved March 13, 1907.

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## CHAPTER 161.

[S. B. No. 58—Rice]

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### CREATING NINTH JUDICIAL DISTRICT.

AN ACT Defining the Boundaries of the Second, Eighth and Ninth Judicial Districts of the State of North Dakota and Providing for Terms of Court in Said Districts.

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

§ 1. BOUNDARIES OF JUDICIAL DISTRICTS.] District No. 2 shall consist of the counties of Benson, Ramsey, Rolette and Towner.

District No. 8 shall consist of the counties of Ward and Williams.

District No. 9 shall consist of the counties of Bottineau, McHenry and Pierce.

§ 2. ACTIONS AND JUDGMENTS.] All actions brought and now pending in the counties of Bottineau, McHenry and Pierce shall be continued in and tried in the Ninth judicial district. The court on its own motion shall direct and authorize said actions to be entitled in the Ninth judicial district, and any judgments rendered thereon shall be in full force and effect in said district.

§ 3. TERMS OF COURT.] The terms of the district court for the Second and Eighth judicial districts shall remain as now fixed.

The terms of the district court in the Ninth judicial district shall be held at the county seat of each county in said district as follows:

In the county of Bottineau, on the second Monday in February, the fourth Monday in April, the third Monday in June, the third Monday in September and the third Monday in November of each year; provided, that no jury terms shall be called for the terms of court opening on the fourth Monday in April, the third Monday in June

and the third Monday in September, except in the discretion of the district judge.

In the county of McHenry, on the second Monday in March, the second Monday in May, the second Monday in July, the first Monday in October and the third Monday in December of each year; provided, that no jury shall be called for the terms of court beginning the second Monday in May, the second Monday in July and the first Monday in October, except in the discretion of the district judge.

In the county of Pierce, on the third Monday in January, the first Monday in April, the first Monday in June, the first Monday in September and the third Monday in October of each year; provided, that no jury shall be called for the terms of court beginning the first Monday in April, the first Monday in June and the first Monday in September, except in the discretion of the district judge.

Any terms of court now called by the presiding judges of the Second and Eighth judicial districts shall be duly held, unless continued by the judge of the Ninth judicial district for cause.

§ 4. JUDGE, WHEN CHOSEN.] There shall be chosen a judge of the district court for the Ninth judicial district at the general election to be held in November, 1908, and thereafter as provided by law.

§ 5. OLD BOUNDARIES REMAIN UNTIL NEW JUDGE QUALIFIES.] Until the election and qualification of the judge of the Ninth judicial district as herein provided for, all of the territory comprehended in said Ninth judicial district shall be and remain a part of the judicial district to which it belongs under existing laws.

§ 6. REPEAL.] All acts or parts of acts in conflict with this act are hereby repealed.

§ 7. EMERGENCY.] An emergency exists in this, that the population and judicial business in the Second and Eighth judicial districts of this state have grown so large that the judges of said districts cannot give proper attention thereto, therefore this act shall take effect from and after its passage and approval.

Approved March 23, 1907.

## CHAPTER 162.

[S. B. No. 292—Simpson]

## TENTH JUDICIAL DISTRICT DEFINED.

AN ACT Creating and Defining the Tenth Judicial District Within the State of North Dakota. Providing for the Election of a Judge Therein and Fixing the Terms of Court in Said District.

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

§ 1. BOUNDARIES AND TERMS OF COURT.] The tenth judicial district consists of the counties of Morton, Stark, Oliver, Mercer, Billings, McKenzie, Dunn, Hettinger and Bowman and all unorganized territory within the said district and all that portion of the Sioux Indian reservation lying north of the seventh standard parallel, and is divided into judicial subdivisions as follows:

1. The first subdivision consists of the county of Morton and all that portion of the Sioux Indian reservation lying north of the seventh standard parallel and south of Morton, and two terms of the district court shall be held each year at the county seat thereof, commencing on the first Tuesday in May and the second Tuesday in November.

2. The second subdivision consists of the counties of Stark, Dunn, Hettinger, Bowman and all that portion of the Sioux Indian reservation lying south of Hettinger county and north of the seventh standard parallel, and all unorganized territory within the said district, and two terms of the district court shall be held each year at the county seat of Stark county, commencing on the first Tuesday in April and the second Tuesday in September.

3. The third subdivision consists of the county of Oliver, and two terms of the district court shall be held therein each year at the county seat thereof at such times as the judge of said court shall direct.

4. The fourth subdivision consists of the county of Mercer and two terms of the district court shall be held each year at the county seat thereof, commencing on the first Monday in June and the second Monday in December.

5. The fifth subdivision consists of the county of Billings, and two terms of the district court shall be held therein each year at the county seat thereof, commencing on the third Tuesday in April and the first Tuesday in October.

6. The sixth subdivision shall consist of the county of McKenzie, and two terms of court shall be held therein each year, as may be fixed by the judge of the tenth judicial district.

§ 2. JUDGE, HOW CHOSEN.] There shall be chosen a judge of the district court for the tenth judicial district at the general elec-

tion to be held in November, 1908, and thereafter as provided by law.

§ 3. CHAMBERS, TIME OF PRESCRIBED.] The court of the tenth judicial district shall, excepting such times as the court shall be actually engaged in the holding of a term of court in any of the counties of said district, have its chambers for the purpose of hearing and transacting such business as may come before it in the counties of Morton and Stark respectively, in each year at the county seats of such counties as follows:

In the county of Morton on the first Monday in the months of January, March, May, July, September and November.

In the county of Stark on the first Monday of the months of February, April, June, August, October and December.

§ 4. PROVISIONS OF ACT HELD IN ABEYANCE.] Until the election and qualification of the judge of the district court for said district as hereby provided all of the territory comprehended in said tenth judicial district shall be and remain a part of the sixth judicial district.

§ 5. TERMS OF COURT.] Whenever any of the unorganized counties or territory referred to in subdivision 2 of section 1 of this act become organized as counties, then there shall be held in each of such new counties two terms of court in each year at such times as the judge shall fix.

Approved March 23, 1907.

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## LAND COMMISSIONER

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### CHAPTER 163.

[H. B. No. 279—Duncan]

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#### DEPUTY LAND COMMISSIONER.

AN ACT to Amend Section 165 of the Revised Codes of 1905, of Chapter 4, of the Political Code of the State of North Dakota, Providing for the Appointment of a Deputy Commissioner of University and School Lands.

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

§ 1. AMENDMENT.] Section 165, of Chapter 4, of the political code of the state of North Dakota is hereby amended to read as follows:

§ 165. DEPUTY COMMISSIONER.] By and with the consent of the board, the commissioner may appoint a deputy, who before en-