

ASSIGNMENTS

CHAPTER 18.

(S. B. NO. 60—Kendall.)

ASSIGNMENT FOR BENEFIT OF CREDITORS.

An Act to Regulate Assignments for Benefit of Creditors, and Provide for the carrying out of the same under Court Supervision.

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

§ 1. When any person, partnership or corporation in this state shall make an assignment for the benefit of creditors, or a trust deed, of the whole or any substantial part of his property, the same shall be administered under the supervision of the district court.

§ 2. The making of such an assignment shall be cause for the appointment of a receiver of the property of the assignor, and the public administrator of the county wherein the greater part of the assets of such assignor shall be situated shall, either on his own petition or on the petition of any creditor of the assignor, be appointed receiver of the property of such assignor, and shall proceed to administer and distribute the same in the place and instead of the assignee named in such assignment, and as nearly as may be in accordance with the terms and provisions of such assignment, under the supervision of the district court.

§ 3. When the property of the assignor is situated in different counties, the public administrator of any county wherein a portion of such property is situated, first, petitioning, shall be entitled to be appointed receiver as aforesaid; but the court shall thereafter, on the petition of any creditor or public administrator, and on the facts being shown to its satisfaction, vacate the said appointment, and appoint as receiver the public administrator of the county wherein the greater part of the assignor's property is situated.

§ 4. In case of failure of any creditor or public administrator to apply for the appointment of a receiver as above provided, the estate may be administered by the assignee appointed in the assignment, but shall be administered and distributed under the supervision of the district court.

§ 5. No property of such estate shall be sold except subject to the confirmation of the district court, on petition of the receiver or assignee, and on such notice as the court may fix. The fees and expenses of all officers and employes shall be under the control of the court, and shall not be paid by the receiver or assignee until approved by the court. Any transfer of any property by any assignee or trustee or receiver shall

be void unless the same shall have been approved by the judge of the district court before whom such matter should be pending.

§ 6. The district court of any county where any property of the assignor may be situated shall have jurisdiction to entertain proceedings in accordance with the provisions of this act; but may, and on the facts being shown to its satisfaction shall, transfer such proceedings to the district court of the county wherein the greater part of the assignor's property is situated.

Approved March 10, 1921.

ATTORNEYS

CHAPTER 19.

(S. B. No. 1.—McNair and Baird.)

DISBARMENT.

An Act to Amend and re-enact Section 800 of the Compiled Laws of the State of North Dakota for the year 1913 as Amended by Chapter 70 Session Laws 1919, Relating to the Revocation or Suspension of an Attorney's Right to Practice.

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

§ 1. AMENDMENT.] That Section 800 of the Compiled Laws of the State of North Dakota for the year 1913 as amended by Chapter 70 of the Session Laws for 1919 is hereby amended and re-enacted to read as follows:

§ 800. CAUSES FOR REVOCATION OR SUSPENSION.] The certificate of admission to the bar of an attorney and counsellor at law may be revoked or suspended for either of the following causes:

1. When he has committed felony or misdemeanor involving moral turpitude.

2. When he is guilty of wilful disobedience or violation of an order of the court, requiring him to do or forbear an act connected with or in the course of the profession.

3. For a wilful violation of any of the duties of an attorney or counsellor as hereinbefore prescribed.

4. For doing any other act to which such a consequence is by law attached or by conviction of any of the offenses mentioned in Section 9417, 9426 and 9427.

5. When he has, while Attorney General of the State of North Dakota, Assistant Attorney General or an employe in the office of the